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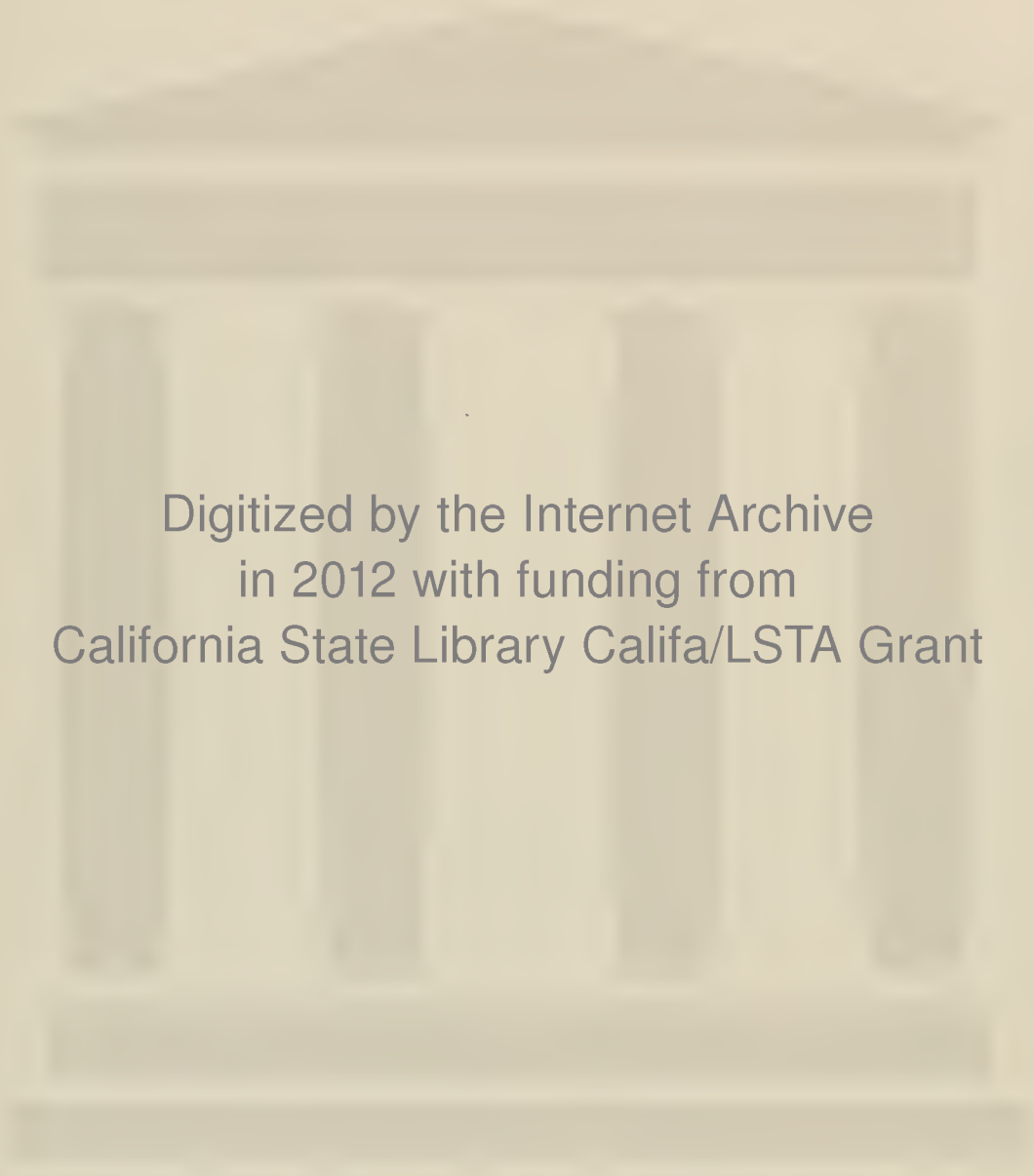

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of January 8, 1976

****
* NEXT MEETING: January 22, 1976 *
* Thursday *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
* *
* NOTE: THIS MEETING WILL *
* START AT 9:15 A.M. *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Rev. Victor L. Medearis (presiding), The Very Rev. C. Julian Bartlett, Rev. George Bedford, Rabbi Alvin I. Fine, Mary O. Ganotise, Sister Mary Bernadette Gilles, Curtis McClain, Caryl Mezey, Earl Raab, Peter D. Salvi, Eduardo Sandoval, Rev. Charles C. Song, Harvey Wong, David K. Yamakawa, Jr.

Excused: Joseph Garcia

Staff: Grant S. Mickins, Jack Casford, Med Claveria, Jo Daly, Carolyn Hom, Wayne Redus, Gail Roberts

Pledge of Allegiance

Minutes of December 18, 1976 approved.

COMMUNICATIONS

- From Linda S. Norlin, Resource Specialist, Queen's Bench Foundation, asking the HRC to "assess services provided or to be provided, problems you may have experienced...and ways Queen's Bench might assist you," and enclosing a questionnaire. Queen's Bench Foundation is funded by the U.S. Department of Justice to examine and respond to the problem of sexual assault in San Francisco, through focus on community education, development and upgrading of services to victims, and research into rape resistance. The letter and request was referred to the Police Liaison Committee.

- From The American Jewish Committee and The National Conference of Christians and Jews, an invitation to attend and participate in a seminar on the subject, "Affirmative Action in a Crisis Economy", to be held from 9 a.m. to 2 p.m., January 27, at the Holiday Inn, 750 Kearny Street, San Francisco.

- To Mr. Eugene J. Pacchetti, Vice-President, J. G. Torres Concrete Construction Co., Mountain View, California, Notice of Finding issued by an HRC Hearing Panel (Commissioners Bartlett, Fine, and Medearis) resulting from a show cause hearing held at the HRC offices November 25, 1975, in a complaint case brought by the HRC against Torres Concrete Construction Co. Mr. Pacchetti was informed that the HRC's Rules of Procedure entitles the firm to appeal to the full HRC within twenty days of the service of this finding.

Director Mickins read the Finding in full:

FINDING: The Hearing Commissioners find Torres Concrete Construction Co. in violation of the Bayview Hunters Point Memorandum of Agreement in respect to both apprentice-journeymen ratio and resident employment requirements. However,

intentional discriminatory practices on the part of the employer in violating the Agreement were not clearly established by the evidence. Nevertheless, the Commissioners do find that Torres Company is culpable in terms of carelessness and lack of administrative efficiency in living up to the Agreement. Therefore, it is hereby found that inasmuch as the contract in question is almost completed, the Commissioners herewith place the Torres Company on probation immediately for a period of two (2) years, or until the completion of the next contract, whichever is longer. During this time, the Torres Company will be obligated, to the satisfaction of this Commission, to live up to the terms of the applicable Agreements. During the terms of this probation the Commission reserves the right to find Torres Company in violation for just cause for any future infractions, and place them, in consequence, under any disciplinary measure.

SAN FRANCISCO HUMAN RIGHTS COMMISSION
Victor L. Medearis, Sr., Chairperson

Director Mickins pointed out that the tripartite (labor, Bayview Hunters Point residents, and contractors) Bayview/Hunters Point Memorandum of Agreement requires that at least 50 percent of the hires for construction projects in this area be residents. The Torres Company held a contract to construct pilings at Pier 80 in this area. The firm failed to live up to this Agreement in having a hiring record of only five to seven percent residents, and further, failing to meet the State requirements of hiring one apprentice for every five journeymen in building trade crafts. Mr. Mickins said the HRC Hearing Panel did find some mitigating circumstances in the case, i.e., an indication on the part of the contractor representatives that were unaware of the seriousness of their failure.

COMMITTEES

NOMINATING, Earl Raab - Chairperson

Serving with Commissioner Raab were: Commissioners Giles, Fine, McClain, and Wong.

The Committee recommended re-election of Chairperson Medearis as Chairperson for the 1976 calendar year. It recommended election of Commissioner Mezey as Vice-Chairperson.

It was

****m/s/c unanimously that these recommendations be followed, and that Commissioner Medearis be re-elected Chairperson, and Commissioner Mezey be elected Vice-Chairperson of the HRC for 1976.

- Chairperson Medearis thanked the Commissioners for the trust placed in himself and Commissioner Mezey, and pledged their work towards the furtherance of human rights in the City.

It was

****m/s/c that the HRC send the following congratulatory telegram to George Moscone, whose inauguration as Mayor of San Francisco was being held in the Rotunda of City Hall on this day:

THE HONORABLE GEORGE MOSCONE
MAYOR OF SAN FRANCISCO
OFFICE OF THE MAYOR
CITY HALL

THE HUMAN RIGHTS COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO SENDS ITS HEARTFELT CONGRATULATIONS UPON YOUR INAUGURATION AS MAYOR AND EXPRESSES ITS ENCOURAGEMENT FOR THE AIMS AND OBJECTIVES OF YOUR ADMINISTRATION. THE HRC LOOKS FORWARD TO PLAYING AN INCREASINGLY INVOLVED ROLE IN COOPERATION WITH YOUR ADMINISTRATION IN FURTHERANCE OF HUMAN RIGHTS FOR ALL PEOPLE OF SAN FRANCISCO.

SIGNED, VICTOR L. MEDEARIS, SR. CHAIRPERSON
CARYL MEZEY, VICE-CHAIRPERSON

The full Commission then entered a long discussion, with contributions from each member present (thirteen of the fifteen members) on the subject of Mayor-elect Moscone's sending of letters asking for resignations by all serving members of City commissions.

After the foregoing discussion, Chairperson Medearis asked to be excused, and Vice-Chairperson Mezey took the gavel.

YOUTH AND EDUCATION
Sister Mary Bernadette Giles, Chairperson

- Report on Special Meeting with Two Board of Education Members

On January 5th, as a follow-up to the HRC's letter to four Board of Education Commissioners (Dr. Lee Dolson, Eugene Hopp, M.D., Sam Martinez, and Father Thomas Reed) requesting a "further, personal explanation for (votes opposing certain nominees to administrative positions by Superintendent of Schools Alioto) your actions." Dr. Dolson and Father Reed met with the members of the Youth and Education Committee. Allegations of racial overtones in these votes made to the HRC, and its concern, further, as it wrote the Commissioners, that "political patronage has no place in the selection of those who administer our schools" prompted HRC discussion at two regular meetings, and the sending of the letter.

Commissioner Giles said Commissioners Fine, Song, and Yamakawa also attended this meeting. She said a memorandum of background for the reason for the special meeting was read there. She reported that Dr. Dolson said he felt that the HRC's first priority of concern in the issue should have been the "racial overtone" charges. Commissioner Giles said it was difficult to give a completely objective summary of the discussion at the January 5th meeting. She said there did not seem to be racial overtones as a most important factor in this issue. She said the meeting gave evidence of areas of conflict between certain Board of Education members themselves, and between members of the Board and the Superintendent.

Commissioner Fine commended Commissioner Giles' conduct of the January 5th meeting. He said it was a candid and open meeting, and he hoped that some of the things conveyed to Dr. Dolson and Father Reed might have some pacifying effect on the strong feelings of conflict at the Board of Education.

Commissioner Bartlett said he had hoped the January 5th meeting could have given the HRC guidance in a difficult area, i.e., whether the problem was one of a difference in point of view rather than one of prejudice or bigotry.

- It was announced that Sam Martinez had been confirmed to attend the next Youth & Education Committee meeting on Thursday, January 15th, at 3:30 p.m. at Grace Cathedral. A meeting time convenient to Dr. Hopp will be arranged and Mrs. Lucile Abrahamson would be interested in meeting with the Committee as well.

Commissioner Fine responded to Commissioner Bartlett, saying that the two members at the January 5th meeting denied that there were any racial considerations in their actions, but that the issue was a matter of conflict with the Superintendent over policy and the structure of authority. Commissioner Giles said that no racial concerns were forthcoming from any of the members (with wide ethnic representation) of the Youth & Education Committee present on January 5th.

Commissioner Yamakawa said two fundamental points were evident:

1. To what extent the Superintendent ought to be allowed to select his own staff.

2. "Substantial partiality" to the Superintendent vis-à-vis the Board members present at the January 5th meeting.

It was pointed out, after a question about HRC authority to inquire into the internal operation of another City department that the Ordinance, Chapter 12A, under which it operates provides it can do so (1) via a public hearing, and (2) at the request of the Mayor.

Commissioner Song was informed, in response to his question, that Superintendent Alioto could be invited to meet with the Youth & Education Committee

HOUSING AND URBAN DEVELOPMENT
Caryl Mezey, Chairperson

- Status Report on Demolition Ordinance

This proposed Ordinance, which the HRC endorsed December 18th, would require owners seeking demolition of residential property to assure comparable relocation housing for low-income tenants being displaced. The Board of Supervisors on January 5th postponed action until January 12th on this proposed Ordinance because all Supervisors were not present.

EMPLOYMENT
The Very Rev. C. Julian Bartlett and Alvin I. Fine,
Co-Chairpersons

- Proposed Resolution on Gubernatorial Appointments

Commissioner Bartlett read the proposed Resolution of Commendation to Governor Brown on his Appointments in State Government, and

it was

****m/s/c that the HRC adopt it. The full text is attached to these Minutes.

DIRECTOR'S REMARKS

- Muni-Youth Task Force

This Task Force has been set up now, and a proposal has been developed and approved by the State Office of Criminal Justice Planning in Sacramento. This will be a $388,000 streetwork program, which goes before the next meeting of HRC Police Liaison Committee for its discussion and, hopefully, approval. It will then come before the HRC. The Task Force grew out of the request by Mayor Alioto to find solutions to the problems of violence among some juveniles in the City manifesting itself in highly-publicized physical attacks on passengers on the Muni Railway.

The Police Liaison Committee meeting will be at 4 p.m., on Wednesday, January 14th, at the HRC Offices.

- The HRC's Budget Preparation

Chairperson Medearis, Vice-Chairperson Mezey, and Commissioner Yamamoto were named to meet with the Director for preliminary discussion of the needs of the HRC for budgeting its programs in the coming year. They will serve as an Ad Hoc Committee. After discussion, it was agreed that the HRC would ask this group to advise them of the possibility of the full HRC requesting a meeting with the Mayor to outline their program budget needs in full.

NO NEW MATTERS

CALENDAR MATTERS

The next meeting of the Human Rights Commission will be Thursday, January 22, 1976 at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, January 15, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, January 15, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Housing & Urban Development	To be announced
	New Time
Police Liaison	Wednesday, January 14, 1976 3:30 p.m. Wednesday, January 21, 1976 HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, January 13, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, February 3, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted

Grant S. Mickins, III
via
Jack Casford

GSM:JC:PA

Attachment

HUMAN RIGHTS COMMISSION RESOLUTION OF COMMENDATION TO GOVERNOR EDMUND G. BROWN, JR. ON HIS APPOINTMENTS IN

STATE GOVERNMENT

WHEREAS, on May 27, 1971, the Human Rights Commission passed Resolution 14-71 calling for increased minority representation on State education boards and committees appointed by the Governor. On May 9, 1974, the HRC passed Resolution 5-74 relating to the appointment of minorities and women to State boards and commissions; and

WHEREAS, during the 1973 Legislative Session the State Assembly passed Assembly Concurrent Resolution No. 36, urging the appointment of women to boards, commissions, committees, and councils. Other legislative bodies, commissions, community groups and concerned citizens throughout the State have made similar requests of the Governor. More recently representation including persons with physical handicaps has been of prime concern; and

WHEREAS, response to this issue was virtually non-existent in the previous administration. The current administration of Governor Brown has responded by appointing over forty minority individuals positions in State government. Additionally the Governor has appointed over 38 women, many of whom are minority women, to similar positions. These appointments include cabinet members, department heads, judges and commissioners. Of particular note was the appointment of Edward V. Roberts as Director of the California Department of Rehabilitation. Mr. Roberts, who has an extremely severe physical handicap, has set an example of what can be done in providing equal opportunity for all of California's residents.

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of the City and County of San Francisco, having observed with interest the appointments made by Governor Brown during the first year of his Administration, commends him for his appointment of minorities and women to positions of responsibility, and trusts that this sensitiveness to a societal reality and concern will continue to be a hallmark of his Administration.

Resolution 1-76
Adopted by the Human Rights Commission
January 8, 1976

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of January 22, 1976

NEXT MEETING:	February 5, 1976 Thursday - 9:15 a.m.
Commission Room, Third Floor Main Library, Civic Center	
NOTE:	This is the FIRST rather than the second Thursday

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Rev. Victor L. Medearis (Presiding), The Very Rev. C. Julian Bartlett, Rev. George Bedford, Rabbi Alvin I. Fine, Mary O. GAnotise, Joseph Garcia, Caryl Mezey, Earl Raab, Peter D. Salvi, Eduardo Sandoval, Rev. Charles C. Song, David K. Yamakawa, Jr.

Excused: Curtis McClain, Harvey Wong

Staff

Present: Grant S. Mickins, III, Jack Casford, Jo Daly, Carole Ellison, Stanley Lim, Jesse Martinez, Wayne Redus, Gail Roberts

Pledge of Allegiance

Minutes of January 8, 1976 approved.

- The HRC directed unanimously that it be recorded that its discussion at the regular meeting of January 8, 1976 expressing individual positions on the request of Mayor Moscone that all serving members of City commissions resign was a discussion only and that no HRC action was taken or intended.

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COMMUNICATIONS

- From Eugene J. Pacchetti, Vice-President, J. G. Torres Concrete Construction Co., Mountain View, CA, to Director Mickins regarding an appeal of the HRC Hearing Panel Finding (reported in full at the HRC's regular meeting of January 8, 1976). That Finding, issued after a show cause hearing at the HRC offices on November 25, 1975, held the Torres firm "in violation of the Bayview Hunters Point Memorandum of Agreement in respect to both apprentice-journeymen ratio and resident employment requirements". Mr. Pacchetti wrote on January 12, 1976 that "On many occasions, we informed Mr. George Cato, Compliance Monitor, of our problem in having residents dispatched to the project. He informed us that we were doing the best that we could, and that he was happy with our efforts. We feel that our efforts... ..was sufficient to fulfill the intent of the Memorandum of Agreement." Mr. Pacchetti requested an appeal of this matter before the full HRC.

Director Mickins commented that subsequent to receipt of the above request for appeal, he received a phone call from Mr. Pacchetti, informing that the Torres Co. Board of Directors has directed him to withdraw the request for appeal, and accept the original HRC Panel Finding. The matter thus is considered resolved at this level.

Copies of Mr. Pacchetti's appeal request letter went to: Commissioners Medearis, Bartlett and Fine; the City Attorney, the Director of the Port of San Francisco, Mr. C. McAllister, Bohemia, Inc., Mr. Calvin Hayes of the Affirmative Action Program (of the Agreement), Ms. Ruth Drossel, of the State

Department of Apprenticeship Standards, and Mr. Lon Hanke, of the Associated General Contractors.

- From Joseph J. Botka, Chief Probation Officer, Juvenile Court, Superior Court, City and County of San Francisco, informing that the final contract for the funding of the Basic Skills Project was approved and received in December of 1975, and that the goal is to begin the program February 1st. Mr. Botka expressed appreciation for HRC support of the Project and solicited its help a year from now when the San Francisco Unified School District will be approached to develop plans to make it a permanent part of school programming.

- From Paul D. Hardman, Chairman of the Board, The Pride Foundation, detailing criticism by the Foundation's Executive Committee of the organization and operation of the HRC Gay Advisory Committee. The criticisms outlined were referred to the HRC's Administrative Committee, which is composed of the Chairperson and the Chairpersons of the standing committees of the HRC.

- From Mr. Hardman for the Pride Foundation, a second letter, formally requesting that the HRC notify the Civil Service Commission and the Police Commission of "the unlawful criteria being used to screen applicants for employment as police officers." This letter and its request were referred to the Gay Advisory Committee and the Police Liaison Committee jointly.

- From Ms. Paula Wegener, Project Manager, ACTION Volunteer in Crime and Delinquency Prevention, State Department of Youth Authority, instructing Ms. Gail Roberts on how to make a request for a volunteer.

- From Myan S. Baker, Affirmative Action Committee, Women Organized for Employment, requesting a copy of the Affirmative Action plan and statistics of Marsh McLennan. Director Mickins noted that WOE and the HRC had met in December, and that they jointly were in the process of drawing up guidelines for the disclosure of affirmative action information the HRC has that constitutes public documents.

- From Mary Rose Black, Chairman, California Christian Committee for Israel, and Frances Alexander, President, Hadassah, Central Pacific Coast Region, inviting the HRC to attend a symposium on February 8, 1976, on "Israel's Interfaith Co-Operation in Humanitarian Fields: Medicine and Nutrition," from 2:30 to 5 p.m., in the Hall of Flowers, 9th Avenue at Lincoln, Golden Gate Park, San Francisco.

- From Eugene S. Hopp, M.D., Past President, San Francisco Board of Education, agreeing to set a mutually convenient time for him to meet with the HRC's Youth & Education Committee.

- To Mr. Curtis E. Green, General Manager, San Francisco Municipal Railway, urging convening of a Board of Control, established in September of 1975 to put into operation a study funded by the Metropolitan Transportation Commission on the outer Judah Street "Miniplatform" implementation.

COMMITTEES

YOUTH AND EDUCATION

Sister Mary Bernadette Giles, Chairperson

- Requested HRC Authorization to the Committee to Send Letters to the Board of Education re: Development of the Process of Selecting High-Level Administrative Personnel in the San Francisco Unified School District.

Samuel Martinez met with the Committee January 15th. On January 5th, Dr. Lee Dolson and Father Thomas Reed met with the Committee. Mr. Martinez was the third of four members of the Board of Education the Committee had requested to discuss their votes in October of 1975 to reject four administrative appointee/nominees of Superintendent of Schools, Dr. Robert Alioto. The report to the HRC on the January 5th meeting was made at its regular meeting January 8th. These discussions grew out of HRC concerns over allegations of racial overtones in the October votes of these four members and, further, its concern that "political patronage has no place in the selection of those who administer our schools." Commissioner Giles reported January 8th that in the January 5th meeting, it was established that "there did not seem to be racial overtones as a most important factor in this issue."

Mr. Martinez, it was reported, discussed his reasons for his votes on the administrator appointee/nominees of the Superintendent. Commissioner Giles noted the Committee Memorandum quoting excerpts from the School District Administrative Regulations Manual pertaining to selection guidelines for the Superintendent, for District administrative or supervisory staff and the affirmative action Board Policy P4110.

The Committee felt there was a lack of a policy on the part of the Board as to how it is to proceed when faced with administrative recommendations from the Superintendent. The Committee learned that only one of the Alioto nominees in October had been made available for interview by the Board before its action.

There followed considerable discussion, initiated by Commissioner Bartlett, regarding the appropriateness of the letter to the Board members referring to the issue of allegations of racial overtones in the votes of the four Board members.

Commissioner Giles said there was no evidence at either the January 5th or January 15th meeting with, respectively Dr. Dolson, Father Reed, and Mr. Martinez, that there were distinct, overt racial implications in the whole issue. According to the representations made at the Youth & Education Committee, this, she said, did not surface.

Commissioner Fine stated that he felt it inappropriate at this point, with Dr. Hopp yet to be heard from, for this judgment to be made. He said there still is continuing dialogue on the issue of the reasons for the contrary votes and policy matters. He said that as a matter of personal conjecture the issue of racial discrimination will not emerge as a factor.

- Responding to an inquiry by Commissioner Sandoval, Commissioner Giles stated that, on the basis of the presentation of Commissioner Martinez, the Committee found no taint of racial motivation in his actions. Commissioner Giles further said "One could not have listened to Commissioner Martinez' point of view, and accepted the fact that there were any racial overtones in his action."

After discussion, and suggested additional wording,

it was

******m/s/c to authorize the sending of the following letter to the members of the Board of Education:

Dear Commissioner:

The Youth and Education Committee of the Human Rights Commission, after meeting with Commissioner Samuel Martinez on January 15, came to the realization that much of the difficulty being experienced between the Board of Education and the District administration was due to the lack of clearly-defined procedures for selecting high-level administrative personnel in the San Francisco Unified School District. There seems to be a misunderstanding between the Superintendent and the members of the Board as to the process involved in the final selection of top administrative personnel, particularly with respect to review procedures by the Board of candidates nominated by the Superintendent. Commissioner Samuel Martinez assured the Youth and Education committee that he would propose the clarification of such a process. If adequate procedures already exist, they should be made known to the Board and adhered to. If, in their present form, they are unsatisfactory, they should be revised.

We look forward to the Commissioners of the Board of Education exercising leadership in the clarification of a process which will facilitate district appointments in the future.

Sincerely,

VICTOR L. MEDEARIS, SR.
Chairperson
Human Rights Commission

- The Committee will write a letter to Commissioner Martinez thanking him for attending the Committee meeting and for the constructive attitude he demonstrated.

It was agreed that such gestures of thanks to participants in Committee meetings are the perogative of the Committees themselves, and not appropriate for authorization by the full HRC.

POLICE LIAISON
Earl Raab, Chairperson

- San Francisco Youth Employment Program for Juveniles

State and Federal approval have been obtained for a $388,888 grant for a San Francisco Youth Employment Program. The grant application was made by the California Council on Criminal Justice under the Omnibus Crime Control and Safe Streets Act of 1968 as representing a coalition of seven San Francisco community groups. Approval by the City to accept is now needed. There were some questions over the base support of the program in detail and a review of specifics is underway. The Police Liaison Committee has in essence supported the concept of the Program, but not specific details. The Youth Service Bureau currently is re-designing the Program in order to bring in more groups in support, and there will be a public hearing on Saturday, January 24th at 11 a.m. at 1182 Market to receive input.

The Program is an eight-month demonstration project with two goals: to reduce the recidivism rate among 200 juvenile offenders on the Municipal Railway, offenders identified by the Police Department, Juvenile Court, and the Probation Department; and to reduce the rate of juvenile violence and vandalism on the Muni. The basic program is job training and employment through streetworker paraprofessionals. The Youth Service Bureau is the designated administrative agency. It is working in cooperation with the Mayor's Office and the Municipal Railway-Youth Task Force of the HRC

- The Police Liaison Committee has contacted both Mayor Moscone and Chief of Police Charles Gain indicating its desire to meet with them in the near future.

EMPLOYMENT
The Very Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, Joseph Garcia, Co-Chairpersons

- Recommended Resolution on Part-Time Employment in City Civil Service

Commissioner Bartlett read the proposed Resolution in full.

Commissioner Fine asked if the Committee had considered the question of the possible usage of part-time employment to cut down full-time employment in order for the City to employ "cheap labor."

Wayne Redus said that this question was covered in two of the specific recommendations of the proposed Resolution:

- that there be established permanent part-time positions (with pro-rated fringe benefits) at the option of the appointing officer and employee, and

that the Board of Supervisors and the Mayor guarantee that part-time positions not be discriminated against in budget cuts.

Ms. Diane Nygaard, of the Coalition on Permanent Part-Time Employment, was introduced from the audience and stated that the two recommendations about covered this concern, which had been raised by the City employee unions.

It was

*****m/s/c that the HRC adopt the Resolution on Part-Time Employment in City Civil Service. The full Resolution is attached to these Minutes.

Ms. Nygaard thanked the HRC for its action and said the Coalition looked forward to future work with it in implementation of forthcoming legislation in this area.

- Report and Recommendations on the Bayview-Hunters Point Memorandum of Agreement. - Stanley Lim

An extensive report, with supportive statistics, was made on this subject by Mr. Lim at the November 20, 1975 meeting of the HRC. He outlined the background of the establishment of the tri-partite Memorandum of Agreement drawn up in 1970, and some of the problems he had found.

Mr. Lim said that it is evident that a program, even with the best of intentions, does not necessarily produce effective results. Based on HRC experience in monitoring the Agreement over the past four years, we can conclude that it has not attained the intended goal in all the trades. Only in one of those years did the parties fulfill the goal in the majority of the crafts. Therefore, the employment of residents under the present circumstance is only partially successful. The simplest explanation for this is the lack of cooperation by parties purported to cooperate. But more than that, it is a multi-faceted problem. Each party must share the responsibility, and each party must work with the other if the goal of the Agreement is to be lived up to.

All this points to the direction that either changes must be made in order for the Agreement to become more viable, or that the thrust ought to work toward a City-wide plan as proved by our success in minority employment.

The Employment Committee, after discussion at several meetings, had three specific recommendations to make, and three Statements of Concern for the HRC consideration.

Mr. Lim read in full the Recommendations and they were opened for discussion.

Asked by Commissioner Raab why one of the Recommendations was for a revision "as an alternative" of the resident employment goal to "reflect the availability, both actual and potential, of community residents", Mr. Lim said that since the 50% overall resident employment goal had not been achievable in all of the trades, it was felt that in the trades (pile driver, operating engineers, etc.) where the goal was not met, it was realistic to perhaps lower the scale in those trades where problems existed in finding residents.

Commissioner Bartlett said that, for example, the pile driver craft has relatively few people available in it, and that specific goals should be set up for specific crafts in the light of the pragmatic situation pertaining to that craft. Further, said Mr. Lim, in certain trades, it was learned, that the Bayview-Hunters Point community already has exhausted the available craftspersons. He stressed that the emphasis still is on expansion of the Agreement to include all crafts of the San Francisco Building Trades Council with enforcement of the entire resident employment goals.

Concerns on this point ultimately were allayed by a re-wording of the final Recommendations (see below).

Commissioner Medearis was asked to comment. He relinquished the gavel to Vice-Chairperson Mezey and spoke, he emphasized as a resident of the area, a pastor of the Double Rock Baptist Church, and as a professional working in affirmative action. He said Bayview-Hunters Point was suffering as a result of the 50% resident goal. He said he supported the approach of skills availability, and called for higher apprenticeship goals. He supported the three Recommendations as proposed.

There was considerable discussion, initiated by Commissioner Mezey, on the introduction of variable goals, i.e., 50% resident goal or availability, both actual and potential, of community residents, and the applicability under the Agreement to those trade unions already signatories to it. Commissioner Yamakawa said that, if used over a period of time, this variability goal approach would become the pattern.

Commissioner Medearis particularly voiced his support of the pre-apprenticeship training program Recommendation, since many in the community, he said, presently have great difficulty getting into unions.

Commissioner Bartlett in response to Chairperson Medearis said that he hoped that the HRC would not consider recommending any change in the 50% residency goal of the Agreement without careful consultation with all parties concerned.

Mr. Lim pointed out that the 50% goal applies to all residents in the Bayview-Hunters Point area (bounded by Army Street, the Bayshore, the County Line and the Bay) and the intent was to integrate the area and its workforce.

It was

***** m/s/c that the HRC adopt, and send to the contracting parties to the Agreement, hopefully as amendments to the Agreement, the following Recommendations:

1. The Agreement should be expanded to include all crafts of the San Francisco Building Trades Council. Especially, the operating engineers, pile drivers and laborers---three basic crafts for reconstruction of the piers---and others should be party to the Agreement. Enforcement of the entire resident employment goal is significantly hampered without all trades included.

2. If necessary to accomplish the goal of 1., the resident employment goal should be revised realistically to reflect the availability, both actual and potential, of community residents. The format can be similar to the HRC's City-wide plan with different scales for different crafts.

3. A pre-apprenticeship training program, geared to meet those crafts with fewer available residents, should be established. Jobs most urgently needed to be filled are operating engineers, electrical workers, pile drivers and iron workers.

Mr. Lim then read in full three Statements of Concern to be communicated to both labor and management. These grew out of problems Mr. Lim encountered in fulfilling the HRC's obligations under the Agreement (monitoring the implementation). He discussed in some detail these three Statements, saying the most serious problem was with those trades not a party to the Agreement. Some contractors have been subject to complaints of noncompliance. Some were corrected, two cases came to hearings, and, recently, the Torres Co. was put on probation after a hearing.

Mr. Lim said the major problem was two-fold: failure of the Administrative Committee to function, due to a lack of leadership, and the nonfunctioning of the inter-related Evaluation Committee. These two failures, he said, have hampered the movement of people to jobs.

The Evaluation Committee was intended to act as a screening committee in the event the labor unions could not supply residents. But this has not been done, he said. He pointed out also the lack of pre-apprenticeship training for residents was another serious area of need.

It was

*****m/s/c that the HRC adopt the following Statements of Concern:

1. Both labor and management should take a more aggressive role in the Administrative Committee's functions. The degree of cooperation exhibited by some local unions thus far has been very passive and it should be improved.

2. The Craft Evaluation Committee should be fully operative at all times. The nonfunctioning of this important function of the Agreement has handicapped the recruitment of more residents to fill some of the jobs.

3. The community representatives should continue to voice their strong concern that active participation of all parties including all government agencies is essential to operate the Agreement effectively.

- Commissioner Bartlett expressed on behalf of the HRC its compliments to Stanley Lim, not only on the contents of this exhaustive report, for also for the concientiousness with which he has dealt with a difficult assignment over a long period of time. His work, said Commissioner Bartlett, is invaluable to the HRC. He also expressed the thanks on behalf of the Employment Committee to Wayne Redus for the assistance he had rendered it and its co-chairpersons.

GAY ADVISORY
Eduardo Sandoval, Chairperson

- Committee Report

The Committee has been functioning for some four months, with regular first and third Tuesday monthly meetings at the HRC offices. One of its first concerns has been to solicit and stimulate response and contributions from the gay community regarding the social inequities they encounter.

Two of a scheduled three public hearings have been held. The first was in the Castro neighborhood on Saturday, January 17th, which was well-attended by persons who outlined a number of discriminatory and other problems of concern to the gay community. Television channels 4 and 5 had covered this meeting. The second public hearing, also well-attended and also covered by the press, was in the Polk Street area on Monday evening, January 18th, from which a number of illuminating responses form the basis for a number of possible recommendations for problem remedies. The third hearing was scheduled for noon following today's HRC meeting, and would be held in the Main Library in the Civic Center. Commissioner Sandoval said he believed that the credibility of the Committee is beginning to be well established in the community.

- Ad Hoc Committee on the HRC Budget

Vice-Chairperson Mezey reported that she met with Commissioner Yamakawa, Director Mickins, and Mr. Sandy Shapiro, the HRC Office Manager, on January 20th to go over the proposed budget request for 1976. That afternoon, with Stanley Lim, a meeting was held with Rudy Nothenberg, Budget Staff Assistant in the Mayor's Office. The HRC budget for 1975 was under $300,000, and the request for 1976 will be approximately $450,000. The difference stems largely from a request that the HRC be granted permanent positions, rather than the temporary Federal job program positions. Mr. Nothenberg has requested a short summary of allocation of monies by the HRC by program. Another meeting will be set up with the Mayor, Mr. Nothenberg, and others, plus HRC representatives, to justify the budget. Mr. Nothenberg was generally supportive of the HRC's work. Commissioner Mezey said she expressed the desire of the HRC to see the Administration's support of its work through the budget. A deputy director position has been requested, but it has been suggested that another title be chosen, more indicative of the specific function of the desired position.

Chairperson Medearis suggested that there be set up an on-going, standing Budget Committee for the HRC to start work earlier on its preparation its year. Commissioner Mezey concurred.

Commissioner Bartlett expressed the need to have the full HRC approve the final budget before submission. Commissioner Mezey said a report detailing the budget requests will be prepared for the next HRC meeting and that it would show the allocation of existing monies to functions. She said also that this was the first year Commissioners have been this involved at the preliminary stage in preparation and discussion of the budget.

It was

***** m/s/c that the HRC adopt this report, commend the Ad Hoc Committee for its work to date, and direct the establishment of a permanent Budget Committee.

DIRECTOR'S REMARKS

- Director Mickins expressed appreciation for the work, time, and efforts of Commissioners Mezey and Yamakawa of the Ad Hoc Committee Budget working with him and Mr. Shapiro and meeting in the Mayor's Office. He noted that submission of the budget had been on a time demand from the Mayor's Office.

- Ms. Jane Nurre, the observer from the League of Women Voters to the HRC, was introduced.

NEW MATTERS

- Commissioner Bartlett opened the subject of inviting the new Mayor to attend a meeting of the HRC and join in a discussion of mutual interests.

It was

***** m/s/c that the HRC write to the Mayor expressing its desire at some future time to have him as a guest at one of its meeting.

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, February 5, 1976 at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center. This is the first rather than the regular second Thursday. February 12th, the second Thursday, is a legal holiday, Abraham Lincoln's birthday.

STANDING COMMITTEES

Employment	Thursday, February 19, 1976 9:30 a.m. Cathedral House Library-Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, January 29th & February 19th 3:30 p.m. - Cathedral House Library Grace Cathedral - 1051 Taylor St.
Housing & Urban Development	to be announced
Police Liaison	Wednesday, February 4, 1976 4 P.M. HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, February 3, 1976 10 A.M. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, February 3, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
1:28:76

Attachment: Resolution on Part-Time Employment in City Civil Service

RESOLUTION ON PART-TIME EMPLOYMENT IN

CITY CIVIL SERVICE

WHEREAS, the Human Rights Commission has supported the concept and establishment of Part-time Employment; and

WHEREAS, the HRC has advocated the use of Part-time Employment as an affirmative action measure; and

WHEREAS, many current and potential city employees will benefit from the establishment of increased part-time employment opportunities;

NOW, THEREFORE, BE IT RESOLVED, THAT THE HUMAN RIGHTS COMMISSION:

1. Endorse the establishment of permanent part-time positions, with prorated fringe benefits, at the option of the appointing officer and employee.

2. Request the Civil Service Commission to endorse this policy and to adopt the rules and procedures required to implement this recommendation.

3. Request the Board of Supervisors and the Mayor to endorse this policy, and to guarantee that part-time positions are not discriminated against in budget cuts.

4. Review Human Rights Commission employment for permanent part-time employment opportunities.

5. Review implementation of this policy inorder to make recommendations and modifications.

Resolution 2-76

WR:mh
1.26.76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of February 5, 1976

NEXT MEETING: February 26, 1976
Thursday - 9:15 a.m.

Commission Room, Third Floor
Main Library, Civic Center

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Rev. Victor L. Medearis (presiding), Rev. George L. Bedford, Joseph Garcia, Sister Mary Bernadette Giles, Caryl Mezey, Peter D. Salvi, Rev. Charles C. Song, Harvey Wong, David K. Yamakawa, Jr.

Excused: The Very Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, Mary O. Ganotise, Curtis McClain, Earl Raab, Eduardo Sandoval

Staff

Present: Grant S. Mickins, III, Frank Anderson, Jack Casford, Med Claveria, Luis Escobar, Alberta Grant, David Prowler, Wayne Redus, Gail Roberts, Emmet Rosebrough, Coke Anoai, Doug Yamamoto.

Pledge of Allegiance

Minutes of January 22, 1976 approved. Commissioner Giles was inadvertently omitted as Present at that meeting.

COMMUNICATIONS

- From Eugene J. Pacchetti, Vice President, J. G. Torres Concrete Construction Co., (dated January 22nd) regarding withdrawal by the firm of its request for appeal of the HRC Findings concerning noncompliance with the Bayview Hunters Point Memorandum of Agreement. Mr. Pacchetti's earlier telephone call regarding this action of the Torres Co. was reported verbally by Director Mickins at the HRC January 22nd meeting. He said that "Pride in our achievements of high percentage minority employment caused us to lose sight of the 'local requirements' of the BVHP Memorandum." He offered, for the company, complete cooperation with the Affirmative Action Program and Apprenticeship Program to fulfill the requirements of this agreement.

- From Mr. Pacchetti, a separate letter, dated January 30th, regarding its affirmative action commitments under a subcontract to A&J Shooter & Associates, Inc. for the construction of Hunters Point Community Park. Torres Co. will "contact ... the Affirmative Action Program for aid in preparing a list of qualified area residents to be submitted to the unions as candidates for the apprenticeship program and dispatch to the project. Mr. Pacchetti pledged "... our best efforts to comply with its(Memorandum of Agreement)requirements."

- From the Board of Supervisors, a copy of Resolution No 38-76 voted January 19th and signed by the Mayor January 23rd, requesting all Boards and Commissions established by City Charter and the Administrative Code to "hold their meetings during hours convenient to the public they serve, and that special consideration be given to setting public hearings during evening hours on issues of salient public interest." **** This Resolution was referred to the HRC's Administrative Committee to study.

- From Curtis E. Green, General Manager, San Francisco Municipal Railway, informing "since the Metropolitan Transportation Commission did not formally approve the funding of the Metro Accessibility Study until earlier this month, it has not been possible to date (January 28th) for the Municipal Railway and the other city departments involved to call together a formal Board of Control." HRC staff member Carole Ellison had asked for information relative to action on a mini-platform proposal as a solution to the problem of accessibility by the handicapped to the Muni Metro when it comes into operation. Commissioner Wong asked for referral of this letter to the Social Programs Committee.

- From Eneas J. Kane, Executive Director, Housing Authority of the City, thanks for service of the HRC's Community Liaison Worker Carlos Carillo on the oral board to interview candidates forthe Tenant Services Representative position with the Authority.

- From Callie Kenady, Women Organized for Employment, on behalf of the Banking Committee of W.O.E., asking for copies of the EEO-1 reports for all banks doing business with the City. Mr. Mickins reported that Ms. Kenady has been referred to the Equal Employment Opportunity Commission office for these reports.

- To Rudolf Nothenberg, Staff Assistant to the Mayor, a complete sample format for program cost allocation for 1976-76 and the estimated cost for 1976-77, as requested at an earlier meeting

COMMITTEES

EMPLOYMENT

The Very Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, Joseph Garcia, Co-Chairpersons

- San Francisco Retailers Community Relations Group Christmas Jobs Program - Alberta Grant, HRC Affirmative Action Officer

A series of meetings occurred during 1975 between the HRC staff and the San Francisco Retailers Community Relations Group participating members. The purpose of these meeting was to define the Christmas Jobs Program, to exchange ideas, and explore problem areas. As a result of these meetings, the following was agreed to by the store representatives and the HRC staff.

1. There will be a Christmas Jobs Program for disadvantaged youth for 1975 utilizing the original concept of the program:

   "Youth to obtain work experience during the Christmas season. Disadvantaged youth are those individuals between the ages of 16 and 21 who are unemployed and not in school. Recruitment and referral of applicants for the program to be exclusively administered by the HRC Staff."

2. Personnel from the participating stores will interview at the HRC offices, to prevent applicants from long waiting periods. Also, the store personnel would know the candidates being interviewed were not inter-mixed with other referrals or walk-ins.

3. An orientation for all candidates in the Christmas Jobs Program will be held with participation from store personnel and HRC and/or other appropriate persons. It was suggested that there be four sessions to accommodate the candidates in smaller groups. These orientations were to be held prior to reporting to work at the stores, so as to give the candidates an idea of what is expected of them.

4. Successful candidates will be given two weeks' work, with a minimum shift of three hours daily at the hourly pay of at least $2.50.

   It was agreed that it was more advantageous for the applicant to be given consistent employment over a two-week period, resulting in a lesser amount of overall jobs, than a greater amount of jobs with inconsistent employment for a two-week period. The resulting amount of positions agreed upon by all parties totaled 80. The amount obtained was 99.

5. Applicants would not be given paper and pencil tests.

The HRC recruitment team was informed of the new procedures for screening, interviewing, and hiring of all applicants meeting the above specifications. One of the goals was to relieve the applicant and store personnel of undue pressures during a traditionally hectic season. All applicants were recruited by HRC recruiters and the following community agencies:

Chinatown-North Beach Youth Service Coordinating Center
Youth for Service
Mission Hiring Hall
San Francisco Skills Center
Bay Area Urban League
RAP (Real Alternatives Program)
Model Cities (Bayview Branch)
Native American Indian Center

All applicants meeting the aforementioned specifications were then pre-screened by Ms. Grant, as program coordinator. At this initial screening the applicant was given a Skill Bank card supplied by the HRC recruiters. This card was used in all phases of the program as a regular pre-employment form. Applicants were then informed of the purpose and intent of the program, but never promised a job or assured of a particular position within the store. They were informed that the positions being offered were varied. They were counseled on grooming, speech, and their willingness to work any shift, day, evening, Saturdays and Sundays, at the discretion of the stores. It should be noted that everyone prescreened was scheduled for an interview with the stores, unless they could not meet the basic requirements.

October 15, 1975, the participating stores' interview schedule was received by HRC from Mr. Lloyd Pflueger, Chairman of the San Francisco Retailers Community Relations Group, including the names of the personnel from the participating stores, interview dates and times.

The participating stores' personnel assigned to the project and interview schedules were as follows:

Macy's	- Ruth Heller & Jack Baker	Oct. 20 - 9:30-4:30
The Emporium	- Gay Fremier	" 21
I. Magnin & Co.	- Heidi Facer	" 22
Macy's		23
The Emporium		24
Macy's (if needed)		27 - 9:30 -12:30
The Emporium (if needed)		27 - 1:30 -4:30
Livingston Bros.	- Maureen Hocler	28 - 9:30
Joseph Magnin	- Diane Guy	29 - 9:30 -4:30
Roos-Atkins	- Norman Hart	
Liberty House	- Julie Betwee	
Woolworth's	- Dan Morgan	Nov. 11 - 10:30

Of the above group, only Roos-Atkins requested that interviews be held at their store because of the difficulty of the store manager, Mr. Hart, in leaving the store premises.

All applicants' Skill Bank cards were then attached to a blank HRC skill card to be used by the store personnel. This was done to eliminate the need of the applicant filling out the store's application if the applicant was not to be considered for a position. If hired, the applicant would then fill out the store's application.

All interviews were scheduled for approximately 5 minutes, and those persons not arriving on time were asked to wait until all other applicants had been interviewed. They were told they would be contacted within the week concerning their status. The stores interviewed approximately three persons for every one job.

The problems that occurred seemed to stem from a lack of communication between participating stores and the HRC staff. The problems were as follows:

A. LACK OF CLEAR STORE SPECIFICATIONS

It was asked at the inception of the program for a uniform set of qualifications, including a policy on the hiring of ex-offenders. We were subsequently told that each store had its own policy.

B. LACK OF UNDERSTANDING RELATIVE TO THE PURPOSE OF THE PROGRAM

It was understood that the program was designated for persons from 16-21 years. On two separate occasions, the HRC was informed just before the scheduled interview that, because of the two stores' insurance policy, the minimum age limit for their stores was in fact 18 years. Therefore, at least 48 persons were told they could not qualify for positions within the stores.

C. LACK OF UNDERSTANDING OF THE GENERAL AGREEMENT

It was generally agreed upon that the applicant would be hired for a variety of positions within the stores. Later it was found that in 3 stores:

1. The interviewer was not authorized to interview for positions within the store; just in their warehouse.

2. Only union personnel were used for stock work, and the HRC had not been earlier notified. (Wayne Redus said that the HRC position was not to challenge a union collective bargaining agreement)

3. That only cashiering positions were available, and that all applicants would be tested.

Again, in two separate situations Ms. Grant was informed that one store did not realize the program as being designated for disadvantaged youth, and in another store none of the correspondence concerning the program's intent had been gone over by the interviewer before the interviews.

D. THE UNAVAILABILITY OF STORE-BY-STORE STATISTICS AND AN AFFIRMATIVE ACTION COMMITMENT MAKE IT IMPOSSIBLE TO DETERMINE WHETHER OR NOT THIS PROGRAM HAS ANY PERMANENT EFFECT ON THE MINORITY WORKFORCE OF THE STORES

It should be noted, however, that some statistics were made available, but were not detailed in the manner asked for by HRC. A clear projection of effect cannot be determined without this information.

Ms. Grant expressed the thanks of the HRC staff to all stores participating in the program, with a special thanks to I. Magnin & Co. for outstanding cooperation in all phases in carrying out the spirit of the program far and above expectations.

A special commendation also was given to the above community agencies, and all applicants who responded, for their efforts in bettering the opportunities for disadvantaged youth.

Wayne Redus, commenting in a discussion of a proposed-community based employment agency to coordinate selection, referral, and placement for the Christmas Jobs Program, said that the HRC had worked in the past with a number of community agencies funded under the Comprehensive Employment Training Act (CETA) to do affirmative action work. These groups do job referral on a year-round basis, and could easily include Christmas jobs.

Ms. Grant emphasized that only two stores have provided her with requested statistics showing the minority workforce placement and/or retention in pernament jobs. She said she needs especially such information from the larger participating stores. The eight participating stores were: Macy's, The Emporium, I. Magnin & Co., Livingston Bros., Joseph Magnin, Roos-Atkins, Liberty House, and Woolworth's.

Commissioner Giles commented that she had a much more positive reaction to Mr. Grant's report compared with the "floundering" program status reported a year earlier.

Ms. Grant said that one contributing factor in this improvement was that recruiting was done at the HRC offices, and that store personnel came to the HRC to interview.

Mr. Lloyd A. Pflueger, Chairman of the Retailers Community Relations Group, expressed the pleasure of his organization at having worked on a "most successful" Christmas Jobs Program in 1975 with the HRC and the community.

Mr. William Blair, of Joseph Magnin & Co., was present and concurred with Mr. Pflueger about the HRC report.

Asked by Commissioner Nezey why the stores had not provided the statistics Ms. Grant wanted on the minority workforce breakdown, Mr. Pflueger said the stores did not know such material was wanted until after the program was over, but that they currently were gathering and would provide such information.

He said that the Christmas Jobs Program was only a part of the total Christmas hiring by the participating stores, but that of the total, some 43% were minorities. He said the 99 youth jobs in the HRC program conprised "roughly 10%"of the total holiday season hires. Responding, later in this meeting, to any inquiry why only 99 Christmas Jobs Program positions had beam filled, Mr. Pflueger said, "The Christmas Jobs Program is a very special, unique program for underpriviledged children (16 to 21) who are not employed or not in school. We don't like to look at it as a give-away program, but to be honest about it, it is. Outside of that program the stores do a great deal of hiring at Christmas time."

After some further discussion on specific problem areas pointed out by Ms. Grant, it was

**** m/s/c that the HRC adopt the following Recommendations to the San Francisco Retailers Community Relations Group:

1. Successful employees of the Christmas Jobs Program should be given priority for full time employment, as an overall approach to affirmative action.

2. Detailed specifications for hiring should be implemented with each participating store.

3. The program should be expanded with particular attention to the non-participating stores within the S.F.R.C.R.G.

4. In a continuing effort to improve the operation of the Christmas Jobs Program, both for applicants for employment and the employer, a community-based employment agency dealing with multi-ethnic, disadvantaged youth should be utilized next year as the selection referral and placement conponent of the annual program.

Staff was directed to implement these Recommendations, especially to begin work on setting up a coalition of community agencies as called for in the fourth Recommendation. The HRC also asked for periodic reports from staff on its prograss progress.

- Employment Opportunity Program - Frank Anderson, HRC Affirmative Action Officer

Mr. Anderson briefly reviewed the background of this Program, which began discussions through an Ad Hoc Committee some three years ago to draw up, with the Retailers Group, an overall Affirmative Action Program. Some 18 months ago, at a presentation before the HRC, staff reported it could not accept the Group's proposed program because of certain fundamental areas not covered. An Appendix to the Employment Opportunity Program (copies of which were provided the Commissioners) has now been produced, consisting of six items the HRC feels are necessary in implementing, monitoring, and evaluating a fair Affirmative Action Program. It is an overall approach for the retailing industry, said Mr. Anderson, an industry considered vital to affirmative action work because of its large number of entry-level positions, and an industry currently employing in San Francisco some 31% minorities. The HRC staff, however, feels that the workforce should more nearly reflect San Francisco's minority population and there should be participation of minorities and women at all levels in the retail industry.

Mr. Anderson discussed the following six Appendix items, relating to:

1. "Age and Sex" bonafide occupational qualifications
2. Recruiting System (methodology used by stores)
3. Tests used by (Group) member stores
4. Conviction record policy of member stores
5. List of jobs which fall in each job group
6. Practice of upgrading

APPENDIX
(To Employment Opportunity Program)

The following paragraphs relate to certain conditions of employment, which are not a part of the main body of the Program. They are equally observed by all member stores. It is in the stated purpose of all employment practices to encourage the hiring and promotion of minorities.

1 - Sex as a bonafide occupational qualification: There is only one instance where sex has any bearing as to whether or not a person shall be engaged: when an employee must be with a customer when the customer is disrobing, the employee must be the same sex as the customer.

2 - Recruiting System: New employees are to be recruited in accordance with the Policy of the Employment Opportunity Program: all recruiting in all job classifications and potential without regard to race, creed, color, sexual orientation, national origin, sex or age. In seeking new employees, the member stores shall recognize the desire to have the racial make-up correspond with the racial make-up of the population of San Francisco. All available sources of employees shall be utilized, and the Human Rights Commission staff shall be regularly consulted as to availability of people. The individual member stores will maintain direct liaison with the Human Rights Commission.

3 - Tests used by menber stores: No store may give a general aptitude test or intelligence test. A store may give skill tests for jobs where ability to perform is a condition of being able to do the job. Stores may give math tests to employees who are selling. Stores may require certain knowledge of art or culture to employees selling in that category.

4 - Policy in regards to hiring persons who have been convicted of a crime: It is recognized that all employees must be bondable, and, therefore, the rules of the bonding company will apply. Member stores may discuss conviction records of potential employees, and may refuse to hire those persons who have been convicted of theft.

5 - Following is a list of various jobs which fall in the five job categories in the Visual Inventory Report: Selling, Office and Clerical, Merchandise Handling, Miscellaneous Non-Selling, Supervision. (same as last year.)

6 - Practice of upgrading: It is the intent of all member stores to promote from within. All employees are continually observed so as to have them realize their full potential of employment. Member stores have training programs and encourage all employees to better themselves. There is no discrimination in regard to race, creed, color, sexual orientation, national origin, sex or age. Member stores often assist their employees financially to obtain outside education which will help the employees upgrade themselves. It is the purpose of the member stores to help minority employees improve their position within the store.

Mr. Anderson stressed again that the concern under upgrading is the promotion of minorities and women who are now employed, but only in a limited number of lower-level positions.

HRC staff will implement, monitor, and evaluate these six Appendix items for a one-year period. After that year, the HRC will hear a report with recommendations from staff on these points. He said he was optimistic about continuing improvement in this program. Now that there is an overall approach to the retailing industry, he said, the Christmas Jobs Program problems may be on the way to being solved.

The HRC will also be looking at nondiscrimination as it applies to persons who are physically disabled applying for retail jobs.

Commissioner Yamakawa was concerned about the relevancy of mathematics tests that might be required, and was told by Mr. Blair, of Joseph Magnin & Co., that employers do administer a very simple test of ability to make change and add up a bill. These tests are validated periodically, he said.

In discussion on the number of Christmas Jobs Program job pledges by stores, Mr. Blair described the short-hour employees of retail stores who, under contract agreement with Local 1100 Retail Clerks Union, have first priority to expanded-hours opportunities. He claimed that lay-offs take place most heavily in the months of January and February in retailing, when stores cut to their basic staffs.

He said that the Christmas Jobs Program had worked very well in 1975, and that the quality of the young people referred by the HRC was so high that it c had created a feeling of greater cooperation among employers.

Ms. Grant said two of the 15 Christmas hires at I. Magnin & Co. were still working, but that she did not have the statistics from the other stores which would show what the retention was.

Signatories to the Employment Opportunity Program are: Woolworth's, W. & J. Sloane, Sherman-Clay, Roos-Atkins, Frank Moore Shoes, Ransohoff's, Joseph Magnin, I. Magnin & Co., Livingston Bros., Lachman Brothers, Gump's, Granat Bros., The Emporium, Liberty House, and Bullock & Jones. Mr. Redus expressed thanks to Mr. Pflueger for his service to both the Retailers Group and to the HRC in their mutual work in this area. Mr. Pflueger responded with thanks again to the HRC staff.

- California Apprenticeship Council Hearing on Women in Apprenticeship - Wayne Redus

Mr. Redus made a formal statement to a public hearing held by the California Apprenticeship Council on January 30th in Los Angeles. The hearing was on the subject of proposed amendments to the California Plan for Equal Opportunity in Apprenticeship that would include provision for women in apprenticeship. The HRC had endorsed these amendment proposals at its January 8, 1975 regular meeting. A number of other people from San Francisco also made statements at Los Angeles, including representatives from Advocates for Women, Painters Local #4, the San Francisco Building & Construction Trades Council, and others. The HRC's statement was chosen as the lead-off one. The Council voted unanimously to approve the amendments, making California the first state thus far to adopt such a program. By January 1, 1977, all joint apprenticeship councils in California will have goals and timetables for women in their implementation plans.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- "An Educational Redesign for the San Francisco Unified School District" by Superintendent of Schools Robert F. Alioto, submitted January 6, 1976: HRC Priorities and Critical Comments Recommended by the Youth and Education Committee.

This proposal by the Superintendent was the subject of extended discussion at the most recent Committee meeting, where Nora Haymond and Mei Lan, two of the Superintendent's Administrative Assistants, were present. The Superintendent's office had been seeking community reaction to the Superintendent's proposal, and these staff people, said Commissioner Giles, said that their discussion with the Youth and Education Committee was the most interesting and fruitful they had attended.

The Committee listed eleven Priorities it wished to emphasize and have the HRC join in adopting. They were discussed in detail by Commissioner Giles, and included concerns about reading, bilingual/bicultural instruction, affirmative action in hiring, multicultural awareness, suspensions, counseling, occupational preparation, and increased minority representation in the Mentally Gifted Minors program.

Commissioner Giles then went through, point by point, the Committee's Critical Comments on sections of the ten major Recommendations of Dr. Alioto.

There are eighteen Critical Comments, each relating to a specific point under the Recommendations.

The most HRC discussion of the Critical Comments was the one on the Superintendent's Recommendation V. "I recommend that we provide a learning environment which is fully integrated." And as the first of nine points under this Recommendation: "We must adopt the goal that every school's student enrollment will be such that no ethnic or racial group will constitute a majority."

It was reported by Gail Roberts of the HRC staff that as of the 1974-75 school year the SFUSD student population is 74.7% Minority, and 25.3% Other White, but that the District certificated personnel workforce is 71% Other White.

Another of the Committee's Critical Comments was: "Recommendation V. (1) regarding the ethnic composition of student enrollment would mean that schools would not necessarily reflect the ethnic diversity of student enrollment. Also, that no single group constitute a majority means that given major ethnic groups would not be represented in certain schools and that ethnic groups with under ten percent could be slightly under fifty percent thus ethnic distribution of students."

It was

****m/s/c that the HRC accept the Priorities and Critical Comments on "An Educational Redesign for the San Francisco Unified School District" and instruct staff to forward them to Dr. Alioto. Commissioner Mezey suggested that the HRC include a statement of the priorities it has made in the past, (which are summarized in the eleven Priorities) and that it also point out the particular concern of the HRC on the Recommendation regarding the "... no ethnic or racial group will constitute a majority...of a school enrollment."

In response to Commissioner Yamakawa's inquiry, Commissioner Giles said that the Critical Comments were a critique only (on specific points the Committee studied) of the overall Educational Redesign Proposal, and that it was not an endorsement of the Proposal as a whole, nor a Comment on the other points contained therein.

- Affirmative Action Necessary to Implement "Educational Redesign" Goals

On recommendation of the Youth & Education Committee, and after a reading in full, it was

**** m/s/c that the HRC adopt the following statement: The Superintendent of Schools and the San Francisco Unified School District should actively recruit and hire the ethnically and culturally different and linguistically-fluent certificated and classified staff necessary to meet the Affirmative Action goals specified in the Superintendent's "Educational Redesign" and the District should hire, as permanent employees, minority group personnel who are currently employed on a limited-contract basis.

GAY ADVISORY
Eduardo Sandoval, Chairperson

- In the absence of Commissioner Sandoval, Director Mickins announced that the four public hearings arranged by the Committee have been held, that attendance and response was excellent.

Commissioner Mezey commended Commissioner Sandoval in absentia for his adroit conducting of these public hearings.

POLICE LIAISON
Earl Raab, Chairperson

- In the absence of Commissioner Raab, Director Mickins reported that the Committee met February 4th with representatives of the White Panther Party who had asked to present and cooperatively draw up guidelines to suggest to the Police Commission on policy regarding Police procedures with persons who are witnesses to arrests. Commissioner Raab will report on the results of this meeting at a future HRC meeting.

DIRECTOR'S REMARKS

- The HRC Budget

The Mayor's Office has been sent its requested financial program allocation breakdown for the HRC. (See Communications section of these Minutes). Mr. Mickins met with the Mayor recently regarding the role the HRC could have in helping implement the Mayor's recently-announced private-sector employment goals (San Francisco residency hiring priority). The Mayor wishes to discuss this objective more fully with the HRC.

A meeting was set up with Messers Orsi and Teitelbaum to make up a Task Force to address this objective.

- Muni-Youth Task Force

The makeup of this group has not yet been completed but it is hoped participating organizations will have been selected before the HRC's February 26th meeting for a report at that time.

- Proposed HRC Affirmative Action Program Regarding Ex-Offenders' Rights

The HRC already has a policy regarding records of ex-offenders and their use by employers in the employment process. The HRC is moving to set up a program designed to meet the needs of ex-offenders. Two members of the HRC staff with experience in this field, Emmet Rosebrough and Doug Yamamoto, will work on this program. It is reported that some 14,000 ex-offenders are released annually in the San Francisco area who return without jobs, funds, stable family situations, or resource agencies to deal with their problems. A fuller report on progress in developing this HRC program will be made at a later meeting.

NEW MATTERS

- Commissioner Mezey asked that the HRC "take happy recognition" of the beginning of the Year of the Dragon and express its hopes that it will be a productive year for the work of the HRC.

- Commissioner Song requested back copies of reports the HRC has made on its affirmative action work with the banking industry in San Francisco.

REMARKS FROM THE AUDIENCE

- Ms. Lillian Harrison, Bayview Hunters Point Affirmative Action Program Job Developer, asked that the HRC consider the lack of Black employment participation in the Fisherman's Wharf restaurants, which are subject to the City's Nondiscrimination Ordinance. She said that a visual survey she had conducted in major restaurants there reveals that there is not one Black bartender.

Commissioner Garcia said that the lack of Black participation was the "fault of the employers at the Wharf". He recommended that the HRC schedule a meeting with those employers with which it has worked regularly on affirmative action compliance, and on which it has reported many times in the past, to find out why there is continued resistance to including Blacks in affirmative action.

Ms. Harrison charged that her efforts to meet with employers to determine the status of Black hiring at the Wharf were subject to cancellations and delays.

The Bartenders' Union apprenticeship program is thwarted because there can be no placement of Black bartenders, it was reported.

It was noted that the most recent HRC report on affirmative action compliance with Wharf restaurants had identified the lack of Black employment as a major concern.

**** It was decided that the HRC schedule another meeting with Wharf employers to re-emphasize their obligations under the Nondiscrimination Ordinance. It was

suggested that the HRC take to this meeting a list of Black bartenders available for work.

Ms. Harrison pointed out that it is Black participation in all categories of jobs that is a problem, not just as bartenders.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, February 26th at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center

STANDING COMMITTEES

Employment	Thursday, February 19, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, February 19, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco Wednesday, February 25, 1976 11:30 a.m. Commission Room - McLaren Lodge Golden Gate Park - San Francisco
Housing & Urban Development	To Be Announced
Police Liaison	Wednesday, February 18, 1976 4 p.m. HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, February 10, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, February 17, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
2:10:76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

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Minutes of the Meeting of February 26, 1976

****
* NEXT MEETING: March 11, 1976 *
* Thursday - 9:15 A.M. *
*
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Rev. Victor L. Medearis (presiding), The Very Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, Joseph Garcia, Sister Mary Bernadette Giles, Caryl Mezey, Peter D. Salvi, Harvey Wong, David K. Yamakawa, Jr.

Excused: Rev. George Bedford, Mary O. Ganotise, Eduardo Sandoval, Rev. Charles C. Song.

- It was announced that Commissioners Curtis McClain and Earl Raab have resigned. Commissioner McClain has been appointed to the Fire Commission. See Communications.

Staff

Present: Grant S. Mickins, III, Jack Casford, Med Claveria, Carole Ellison, Carolyn Hom, Pam Lee, Wayne Redus, Gail Roberts

Pledge of Allegiance

Minutes of February 5, 1976 approved.

COMMUNICATIONS

- From Robert F. Alioto, Superintendent of Schools, correcting the HRC Minutes of February 5, 1976, which stated "...the committee (Youth and Education) learned that only one of the nominees in October had been made available for interview by the Board before its action." Mr. Alioto reported that three of the recommended candidates for administrative appointments by him had been interviewed in October of 1975 by the Board of Education. Mr. Alioto offered to meet with the Committee to discuss this issue. Commissioner Giles reported that during the Committee's recent discussion with Dr. Eugene Hopp of the Board that he had confirmed that these interviews did take place. See Youth and Education section of these Minutes.

- From Stanley M. Smith, Secretary-Treasurer and Business Representative, San Francisco Building and Construction Trades Council, responding to the HRC's recent Memorandum on the Bayview Hunters Point Memorandum of Agreement (discussed by the HRC at its January 22, 1976 meeting). Mr. Smith responded in individual sections of his letter to: Strength and Weaknesses of the Agreement, The Role of Labor Management and Community, Problem Areas, Resident Employment in the Past Year, and Conclusions and Recommendations, all sections of the HRC's presentation and analysis. Director Mickins was directed by the HRC to respond to Mr. Smith's final paragraph: "I found your Memorandum very anti-union in nature. When considering the tremendous unemployment in the construction industry in the recent years, I think the trade unions have done an outstanding job and should be complimented, not degraded. Of course, I am sure you will agree, the nature of the Human Rights Commission is to be anti-union." The HRC's Employment Committee already has invited Mr. Smith to appear before it to discuss the points raised in his letter.

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- From Joseph Botka, Chairman, Youth Services and Programs Task Force, Mayor's Criminal Justice Council, inviting the HRC to a public meeting to discuss alternative shelter facilities for youth at 9:30 a.m. Wednesday, March 3, 1976, at the office of the Mayor's Criminal Justice Council, 1182 Market Street, Suite 204. Contact: Jim Buick at 864-6800

- From Bernard Orsi, General Manager, Personnel, Civil Service Commission, stating that due to "numerous recent EEO compliance requirements" the annual survey of the race/sex composition of the City workforce "can be conducted most accurately and effectively" by the CSC. Mr. Orsi wrote that the transfer of function is not intended to exclude continuing HRC participation in evaluation of the survey data or in continuing activity to "achieve employment parity in San Francisco." Director Mickins reported he has met with Mr. Orsi and staff to establish the HRC's continuing role as monitor for the survey, and conduct of the preliminary analysis aspect of the survey. The workforce report for 1975 is due, said Director Mickins, in approximately seven weeks, and by use of the master payroll CSC will be able to obtain complete coverage of the 22,000 - plus City employees.

- From Virna M. Canson, Regional Director, National Association for the Advancement of Colored People, inviting the HRC to meet March 4th at 7:30 p.m., 870 Market Street, Conference Room 920, to discuss strategy for working for passage of Assembly Bill 3124, a measure intended to strengthen the California Fair Employment Practices Commission.

- From William J. A. Weir, Vice President, Bank of America, enclosing a copy of the Bank of America's Policy Statement on Hiring and in Retaining Applicants and Employees Who are Prior Offenders. Director Mickins stated that the HRC had been told for several months that the Bank of America was working on a comprehensive program regarding procedures and policy towards ex-offender employment and that the Policy Statement enclosed was disappointingly brief. Mr. Mickins said he had written the Bank a strong letter asking for their full policy/program in this area. Follow-up with the bank has been referred to the Employment Committee.

- From Assemblyman Alan Sieroty, Chairman of the State Assembly Committee on Criminal Justice, thanking the HRC for its endorsement of AB 2426 to prohibit the private possession of handguns in California which did not pass the committee, however. Mr. Sieroty reminded the HRC of the initiative campaign for the November, 1976 ballot. The HRC formally supports the San Francisco Committee for Handgun Control, and Jack Casford of the HRC will distribute initiative petitions to the HRC at its request at its next meeting

- From Paul D. Hardman, Chairman of the Board, The Pride Foundation, advising the Gay Advisory Committee of the HRC that the Board of the Foundation would fund the cost of Muni signs to notify gay people of their rights, but that the information would be collected and analyzed by the Foundation and forwarded to the Gay Advisory Committee for handling by the staff of the HRC.

- From Commissioner Earl Raab, a copy of his formal letter of resignation from the HRC to Mayor George Moscone.

EARL RAAB
870 Market Street, Suite 920
San Francisco 94102

January 26, 1976

The Honorable George Moscone
Mayor, City Hall
San Francisco 94102

Dear George:

Please accept this as my official resignation from the Human Rights Commission, which I earlier indicated would be submitted at about this time.

Since I was actively involved in helping to establish the Commission,

*and have served on it since its inception, I inevitably have a couple of parting comments:

1. The Commission has, with low profile, been the major mechanism for shaping and implementing affirmative action in employment in San Francisco. This has been its major work -- and, for the advancement of human rights, the name of the game. But this job has been accomplished because the Commission and its staff has done the hard, slogging daily work involved -- rather than becoming a rhetorical forum on the subject. If the affirmative action job is to be done, as distinct from faddish sloganeering, it will be done exactly to the extent that the Commission has the kind of staff support needed to do it. City government has been piling different responsibilities on the Commission without providing that support.

   On the other hand, if cut-backs are necessary, they should be done with some conscious sense of priority. Affirmative action in employment for racial and ethnic minorities remains top priority.

2. As a public voice, the Commission has had to differ with both sitting Mayors on a few occasions during its life. This is healthy -- and on those occasions has enabled some minority groups to feel that they have an official place to go. It was for that reason that I was always interested in preserving the principle that the Human Rights Commission does not go in and out en masse with each Mayor, even with one as sympathetic as yourself. I realize what the situation is now, but I hope that in defense to this principle, you will be able to reappoint some current Human Rights Commissioners. (That, of course, does not include me; I had announced my intention to resign last year, out of deference to the principle of over-long service).

*I must say finally, that I feel better about leaving at this point because I know that we have a Mayor who is so much at one with the purposes of the Human Rights Commission.

Regards,

Earl Raab

- Commissioner Bartlett asked to be excused from the meeting. He announced that a ceremony observing the twin bicentennial of the Nation and the City would be held at Grace Cathedral on Sunday, February 29th, at 3:30 p.m. with the participation of the Royal British Legion and the Bishop of London.

COMMITTEES

YOUTH AND EDUCATION
Sister Mary Bernadette Giles, Chairperson

- Bilingual Education in the San Francisco Public Schools, 1974-1975 Academic Year -- Acceptance of HRC Staff Report and Adoption of Recommendations

Commissioner Giles reviewed the salient points from the School District's data, as compiled, summarized, and analyzed by HRC staff Med Claveria, Community Liaison Worker, and Gail Roberts, Coordinator of Community Organization. The HRC report covers the number of students served, budget, and staffing of the program and makes a number of recommendations.

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This is the annual report on the Bilingual Program of the San Francisco Unified School District. The HRC has reported on the progress of this language-assistance program annually from the time it aroused the community interest and SFUSD on the issue of children who are limited and non-English-speaking sitting in classrooms unable to understand the teacher. The School District's response to this need was the establishment of bilingual programs. The necessity of these programs was subsequently mandated in the Lau v. Nichols case which was decided by the U. S. Supreme Court on January 21, 1974.

The HRC voted a comprehensive Resolution on March 24, 1975, in response to Lau v. Nichols, urging the Board of Education "to adopt a bilingual/bicultural program for non-English and limited-English-speaking students and that such a program address itself, in major part, to the development of necessary English language and other skills... so that... the student would enter the regular.. curriculum." The Board's Master Plan was adopted in March, 1975, designed for a bilingual/bicultural approach.

The District's Master Plan resolution also called for evaluation and improvement of all present methods of instruction for non-and limited-English-speaking students to comply with the Master Plan.

Commissioner Giles stressed that the HRC recommendations flow from both its own resolution regarding bilingual/bicultural education and the Board's resolution.

Med Claveria then went over a number of highlights from the narrative and statistical portions of the report.

Two surveys by the School District's Community Relations Office showed 7,464 students identified as non-and limited-English speaking during the 1974-1975 academic year, compared to 6,512 in the 1973-1974 school year, an increase of 15%. These students were identified as non-and limited-English-speaking in the teacher-opinion survey. A total of 1,937 students were identified as non-and limited-English-speaking and needing language assistance but were not in BBE/ESL programs in 1974-1975.

Mr. Claveria responded to inquiries as to why these students were not in these progtams by saying that it was due basically to lack of sufficient classes, and to students entering the system in mid-year for whom there are insufficient vacancies.

The ethnic classifications of those identified as in need (of language assistance) were: Chinese (36.4%), Spanish (26.3%), Filipino (5.6%), Korean (3.2%), Japanese (1.2%), Other White (7.6%), Other Non-White (3.2%), and Samoan (2.2%). The percentage figures represent the proportion of the students in the BBE/ESL programs.

In 1970-1971, the elementary school enrollment in bilingual/bicultural or ESL programs was 968. In 1974-1975, the numbers rose to 4,635. At the junior high level these comparatives figures were 966 in 1970-1971 to 1,095 in 1974-1975; in senior high, 373 to 905.

In 1973-1974, there were only 169 teachers in the bilingual/bicultural programs, 219 regular classroom teachers from the District signified their interest to teach bilingual classes, but no regular classroom teachers were moved or transferred to the bilingual programs. In 1974-1975, Mr. Claveria pointed out, there were 224 BBE/ESL teachers.

In 1973-1974, the budget for these programs was $2,788,379, while in 1974-1975 it was $4,419,059, $1,830,454 of which came from program legislation of both State and Federal governments.

Commissioner Giles expressed high praise for the staff evaluation and analysis that Mr. Claveria and Ms. Roberts had done on this material.

Following a reading in full of the proposed Committee Recommendations,

it was

**** m/s/c that the HRC adopt them. They are:

1. The development of more objective methods of determining non-and limited English-speaking pupils.

2. The surveying of the specific language needs for those in need, but not being served by the program.

3. The development of an appropriate assessment or evaluation instrument to measure language proficiency.

4. The development of additional programs to meet the needs of those identified by the survey.

5. Provision for adequate progression for the student within the bilingual instructional program.

6. Preparation of teachers to use the best available techniques for the Bilingual/Bicultural Program.

- Discussion with Board of Education Commissioner Dr. Eugene Hopp

Commissioner Giles reported that the Committee had told Dr. Hopp about lack of general community acceptance of three items in the Redesign Program suggested by Superintendent Alioto recently (and discussed at the HRC):

1. Teacher of the Year Award.

2. The use of same teacher in primary classes over a three-year period.

3. The Bilingual/Bicultural Program.

Dr. Hopp was the last of four members of the Board of Education (Fr. Thomas Reed, Samuel Martinez, and Dr. Lee Dolson),to accept the Committee's invitation (at the direction of the full HRC) to meet and discuss specifically the rejection by the four of five Alioto nominees for administrative positions in the School District. The HRC had been asked to investigate charges that there were racial overtones to the appointment turndown votes.

Dr. Hopp, said Commissioner Giles, proved to the Committee, as did his three colleagues, that their rejections of these nominees were not based on racial discrimination.

Other subjects covered with Dr. Hopp included: the relationship of the Board to the superintendent, the disputes among Board members at Board meetings and the impediments this made to action (The Committee asked Dr. Hopp to use his moral suasion to correct this atmosphere of dispute); the question of reverting back to an appointive rather than an elective Board; the current decisions regarding seniority in the District with the possible effect on affirmative action in the District; the Redesign Program; and community concerns about the BBE program.

It was

**** m/s/c that the HRC, after its meetings with Board of Education Commissioners Reed, Hopp, Dolson, and Martinez, found no evidence that there was any aspect of racial overtones in the vote rejection of four appointee/nominees of the Superintendent.

EMPLOYMENT

The Vey Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, and Joseph Garcia, Chairpersons

- Proposed Resolution Endorsing a Request for Funding by Advocates for Women to the San Francisco Foundation.

Wayne Redus, Coordinator of Employment, introduced Ms. Rebecca Mills, President and Executive Director of Advocates for Women. This nonprofit organization works in recruitment, counseling, tutoring, and placement of women in nontraditional jobs, both blue and white-collar jobs such as truck driver,

entry-level management administrative assistants, etc. Advocates for Women has been in contact with the HRC through the Employment Committee for more than three years.

Ms. Mills said Advocates now has four offices, one in San Francisco. Staff time is spent both in advocacy and job development, through contact with individuals and organizations. The organization currently is seeking funding by:

1. corporation donations and individuals gifts
2. consulting
3. realizing full and complete cost recovery from its government contracts
4. foundation support for programs

The proposal the HRC was asked to endorse today is a proposal by Advocates to the San Francisco Foundation for $29,900.

It was

**** m/s/c that the HRC adopt the Resolution Endorsing Advocates for Women and Its Request for Funding Submitted to the San Francisco Foundation. The full text is attached to these Minutes.

SOCIAL PROGRAMS
Harvey Wong, Chairperson

- Request for HRC Endorsement of Funding Proposal of California Association of the Physically Handicapped - Ray Uzeta, President of the Association.

Copies of excerpts of the program description and objectives from the C.A.P.H. were provided the Commissioners in advance of this meeting. The proposal was for $58,995 from the Campaign for Human Development to partially fund (needed altogether is $185,000) an office in San Francisco similar to the Center for Independent Living in Berkeley. The center would be staffed by physically disabled persons, and would provide information and referral, outreach activities, direct client assistance, provide recruiting, screening and referral of attendants for the disabled, training in self-care techniques, housing location, and psycho-social peer counseling.

Mr. Uzeta said no agencies in the City currently are providing these services. He said also the C.A.P.H. intended to request funds from to the Junior League and the California Department of Vocational Rehabilitation. Their prime purpose is, through the above-designated services, to provide the means for physically disabled persons to live independently in the City.

It was

**** m/s/c that the Human Rights Commission endorse the funding proposal of the California Association of the Physically Handicapped to the Campaign for Human Development to establish a Center for Disabled Action.

The Campaign for Human Development is a program developed by Roman Catholic Bishops in the United States designed to meet social needs.

- Committee Report

1. Jack Casford delivered a statement on behalf of the HRC at a public hearing of the Public Utilities Commission on February 9th regarding the HRC's past year or more of contact with Pacific Telephone on the subject of widening multilingual telephone emergency service.

2. The Committee has been joined by a new member, Ms. Susan Peters Tarna, representing the physically disabled community.

3. The next meeting will be Tuesday, March 2nd, at 10 a.m., at which time a speaker from the American Civil Liberties Union will discuss Senate Bill 1.

POLICE LIAISON

- Director Mickins reported that further discussions have been held with representatives of the White Panther Party in their concerns for Police Department arrest policy regarding entry and regarding witnesses to Police actions. It is planned to arrange a meeting on the subject with Chief of Police Charles Gain.

GAY ADVISORY
Eduardo Sandoval, Chairperson

- In the absence of Commissioner Sandoval, this report was postponed.

DIRECTOR'S REMARKS

- Commissioners Mezey and Yamakawa joined Director Mickins and Office Manager Sandy Shapiro in a meeting with Rudy Nothenberg and his budget evaluation staff in the Mayor's Office February 11th regarding the HRC's budget and staffing needs.

- Director Mickins met also with Bernard Orsi of the CSC regarding the affirmative action position request of the HRC. It appears, he said, that CSC will not pursue the recruitment positions through their office but they are considering having one person to handle EEO and other affirmative actions. The review is still going on in the Mayor's Office.

- Ms. Esther Lucas, the Executive Deputy to the Mayor dealing with Social Programs and with the HRC, met with staff February 25th to discuss project assignments.

NEW MATTERS

- Commissioner Fine offered to work with staff in drafting appropriate expressions of HRC tribute to Commissioner McClain and Raab on their resignations after long and valuable service to its work, and suggested that some form of special presentation be arranged.

- Chairperson Medearis named Commissioner Yamakawa to chair the Police Liaison Committee and Commissioner Mezey to chair the Administrative Committee. He asked the other standing committee chairpersons to remain in those positions.

- Administrative Committee Report - Commissioner Mezey

The Committee (Giles, Mezey, Wong, Medearis) met February 24th to discuss:

1. Response to the letter written by Paul Hardman of The Pride Foundation protesting that the chairperson of the Gay Advisory Committee was a member of the HRC. This letter and this issue were referred to the three members of the Gay Advisory Committee since the complaint comes from a member of the community. A Commissioner will be delegated to explain to the community that procedures of the HRC require that all action by it come to the full Commission only on introduction by one of its members after discussion and recommendation for action by a standing committee.

2. Discussion of HRC policy to be adopted regarding public access to its working documents, arisin g out of suit successfully brought at one time by Women Organized for Employment and the Employment Law Center over material they wished to see relative to HRC negotiations with Fireman's Fund American Insurance Co. setting up an affirmative action program. Staff of the HRC is working with WOE and Employment Law Center on a policy statement on what kind of documents would be available for public information. The opinion of the City Attorney will be sought in this matter, in particular whether certain working documents (such as a private employer's salary schedules) would come under the public access policy.

3. The Council for Civic Unity has requested HRC sponsorship of a forum on rent increases. There are other sponsors for the forum. Despite the fact that the HRC does not have adequate staff for proper follow-up on such a forum, it would approve lending the HRC name to this forum, to be held in mid-March.

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4. The Committee recommended that, in response to a recent Board of Supervisors Resolution requiring boards and commissions to hold their regular meetings at times convenient to their constituencies, the HRC schedule three meetings, (second Thursday meeting in the months of April, May, and June), for 6 to 8:30 p.m., in Commission Room of the Main Library, if the space is available. It was recommended that compensatory time off be considered for staff asked to work these extra hours. Staff will have to determine availability of alternate meeting places.

It was

**** m/s/c that the HRC accept the report and recommendations of the Administrative Committee.

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, March 11, 1976 at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, March 4, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, March 4, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
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Police Liaison	Wednesday, March 3, 1976 4 p.m. HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, March 2, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, March 2, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
3/2/76

Attachment: Resolution Endorsing Advocates For Women and Its Request For Funding Submitted To The San Francisco Foundation

RESOLUTION ENDORSING ADVOCATES FOR WOMEN AND
ITS REQUEST FOR FUNDING SUBMITTED TO THE SAN FRANCISCO
FOUNDATION

WHEREAS, Advocates for Women, a non-profit economic development organization for women, has been in the forefront of helping to increase equal opportunity for women of all races; and

WHEREAS, In August, 1973, the HRC formally requested City contractors to utilize Advocates for Women when recruiting women for employment; and

WHEREAS, Advocates for Women has become crucial to the work of the HRC with respect to affirmative action for women; and

WHEREAS, in order to continue to provide these essential services to business, labor, government, and the community, Advocates for Women is seeking funds from the San Francisco Foundation;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco commend this group for its work and endorse its request for funds submitted to the San Francisco Foundation.

Adopted by HRC 2/26/76

Resolution 3-76

mf
2/1/76

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of March 11, 1976

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* NEXT MEETING: March 25, 1976 *
* Thursday - 9:15 A.M. *
*
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), The Very Rev. C. Julian Bartlett, Rev. George Bedford, Rabbi Alvin I. Fine, Mary O. Ganotise, Joseph Garcia, Sister Mary Bernadette Giles, Peter D. Salvi, Eduardo Sandoval, Charles C. Song, Harvey Wong, David K. Yamakawa, Jr.

Excused: Rev. Victor L. Medearis

Staff

Present: Grant S. Mickins, III, Coke Anoai, Jack Casford, Wayne Redus, Gail Roberts, David Prowler, Lydia San Felippo

Pledge of Allegiance

Minutes of February 26, 1976 approved.

COMMUNICATIONS

- From Virna M. Canson, Regional Director, National Association for the Advancement of Colored People, inviting the HRC to a March 4th meeting to discuss AB 3124 (a measure introduced by Assemblyman Julian Dixon to strengthen the California Fair Employment Practices Commission) and strategy for working for its passage. Director Mickins attended this meeting.

- From L. A. White, Associate Director, The San Francisco Foundation, forwarding a check for $1,000, a gift from the funds contributed to the foundation by Mrs. Charles B. Kuhn. The HRC's response and thanks for this annual gift have been sent to the Foundation and Mrs. Kuhn.

- From Paul D. Hardman, Chairman of the Board, The Pride Foundation, challenging the use of the present eligibility list now being used by the Police Department from which to select officer candidates. The Foundation holds that no homosexual could meet the pre-screening instructions used by the Police Department which stated that "those who were not eligible for induction or enlistment or re-enlistment in the Armed Forces of the United States were not eligible to apply to be Police officers in San Francisco." Director Mickins said that the HRC has been involved in the establishment of a new Police eligibility list. This letter and this issue were referred to the Employment Committee.

- From Harvey M. Rose, Budget Analyst, Board of Supervisors, a copy of a memorandum announcing Finance Committee Hearings on 1976-1977 Departmental Budgets. The HRC hearings will be at 2 P.M. on April 2, 1976.

- From Robert F. Alioto, Superintendent of Schools, San Francisco Unified School District, thanks for the HRC's review of his proposal for Educational Redesign, a report developed by HRC staff based on discussion by Youth and Education Committee members.

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COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- School District Student Suspensions and Drop-Outs, Procedures Followed at the School Site Level

Commissioner Giles briefly reviewed the second working draft of the Committee's study of suspensions in the School District. There has been a decline in suspensions for truancy, from 224 in the 1973-1974 period, to 87 in the 1974-1975 period.

In discussion of procedures at school site levels in the District, it was noted that there are wide variations at this level. Out of 56 elementary schools, for example, Cleveland and Golden Gate had the highest number of suspensions 27 and 23, respectively, while 24 schools had none, 15 had 1 to 2 each. At the intermediate level, John McLaren, Monroe, and Visitacion Valley each had 75 suspensions, while five schools had none. At junior highs, Luther Burbank and Visitacion Valley had the highest with 281 and 272, respectively, while Benjamin Franklin had the least, 23. In senior highs, Lincoln topped the list with 269, followed by Galileo with 196, and Wilson with 188. Opportunity High II had none.

The Committee intends to study a number of different site-level programs, being developed by teachers, administrators and counselors. In the Marina Junior High School, for example, the program includes identity of student, regular reports on academic progress, and consultation with parents. It is hoped that different working plans, with some success, can be studied at the various schools.

Commissioner Giles read part of an editorial in America magazine for February 28, 1976, to bring out the point that truancy/suspensions and pupil behaviour problems are present in Great Britain as well as throughout the United States.

SOCIAL PROGRAMS
Harvey Wong, Chairperson

- Proposed HRC Action on U.S. Senate Bill 1 - Anson Moran, Vice-President, American Civil Liberties Union.

Commissioner had been provided in advance of this meeting with a staff memorandum, plus copies of various analyses and discussions on the controversial bill.

Mr. Moran stated that opposition among many others, came from the ACLU, the National Committee Against Repressive Legislation, the American Friends Service Committee, the National Lawyers' Guild, the International Longshoremen's and Warehousemen's Union, etc.

Mr. Moran briefly reviewed the major points of objection by the above and many other groups in the United States to this proposed legislation, which was written by the Nixon Administration Justice Department largely, and intended to be a revision of the United States Criminal Code. Its opponents maintained that in scores of sections of this complex, 700-plus-page bill, pose a real threat to civil liberties such as dissent, freedom of assembly, of the press, and so forth. The S. 1 proposals would, among other things, establish the equivalent of an Official Secrets Act, thus making it illegal for a newspaper to publich information about government activities the government had not made public. It would broadly define a "riot" as a group of ten or more people deemed posing a threat to property (itself defined as "interests," "privileges," or "rights"). It would so broaden the designation of the residence of the President that demonstrations within earshot or view of the President in a hotel, for example, could be banned by the Federal government. The definition of entrapment has been changed, said Mr. Moran, giving wider latitude to its useage by Federal agents. Wiretapping laws would be expanded, and a 48-hour warrantless tap provided.

A compromise bill, suggested by Senators Scott and Mansfield, also is opposed, inasmuch as it would change the number of the old bill, and delete only 13 objectionable sections. The ACLU has identified 2,260 objectionable sections.

Mr. Moran answered an inquiry from Commissioner Wong by saying that no organization could be found actively supporting passage of S. 1, aside from support-gathering activities of the Justice Department.

The Board of Supervisors voted unanimously to oppose S.1 on February 16, 1976 and Mayor Moscone signed the legislation February 17th.

It was

**** m/s/c that the HRC: (1) join the Board of Supervisors in opposing passage of S.1, and (2) write Senators Tunney (a member of the Senate Judiciary Committee which currently is hearing the bill) Cranston and Kennedy urging that they oppose the Scott-Mansfield compromise move.

- The Committee will study H.R. 10850, the Federal Criminal Law Revision and Constitutional Rights Preservation Act of 1975, introduced by Congressmen Kastenmeier, Mikva, and Edwards, which is described as a more thorough codification of the criminal law than S.1, with none of the repressive features. It was asked to come back to the full HRC with a recommendation. The Congressmen Burton would be asked to co-author H.R. 10850 if the HRC endorsed it.

EMPLOYMENT
The Very Rev. C. Julian Bartlett, Rabbi Alvin I. Fine, and Joseph Garcia, Co-Chairpersons

- Committee Report

Follow-up on the HRC (Stanley Lim, Affirmative Action Officer) Report and Recommendations on the Bayview-Hunters Point Memorandum of Agreement (presented at the HRC January 22, 1976) - Commissioner Bartlett.

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David Yamakawa, Chairperson

- Committee Report

- The Committee now has pending a request from one of its members that there be established a Police Department policy that when an arrest is made on a charge of intoxication from alcohol or other narcotic, that the officer making the arrest be required to inform the accused person of his or her right to voluntarily receive a test at public expense to determine if a state of alcohol or narcotic intoxication does exist. It is further suggested that this be a matter of local jurisdiction policy in law enforcement. It does not currently exist under State law. A person could not be coerced or required by police to take this test. The Police Department has agreed by the next meeting of the Committee to release to it the dispositional statistics on persons arrested on these charges. The Mayor's Council on Criminal Justice also has agreed to provide information from other communities where this right (of voluntary test for intoxication) presently exists.

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Caryl Mezey, Chairperson

- Committee Report

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Commissioner Mezey said that neither she nor Mr. Prowler through their contact have felt that Tenants for Action has any connection whatsoever with a recent bombing of some Housing Authority facilities at Hunter's Point.

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A report on the findings of the three public hearings recently sponsored in the City in various neighborhoods will be brought to the HRC by April 22nd.

DIRECTOR'S REMARKS

- Finding of the Director in The Pride Foundation vs. Pacific Telephone and Telegraph Company

The HRC has been investigating charges brought as far back as 1973, and a complaint brought by The Pride Foundation on July 29, 1975, that Pacific Telephone has a discriminatory police against homosexuals in employment. On August 28, 1975, PT&T denied that it had such a policy, that the HRC has jurisdiction in the issue, and that the designation of "person" did not apply to the complainants within the HRC Rules of Procedure. Based on the investigation by Employment Coordinator Wayne Redus, Director Mickins made his Finding and sent written notice in detail to Pacific Telephone on March 9, 1976.

Mr. Mickins read in full this Finding, addressed to Mr. J. Boyd Fottrell, District Manager-Employment for PT&T.

March 9, 1976

Mr. J. Boyd Fottrell
District Manager-Employment
The Pacific Telephone and Telegraph
Company of Northern California
633 Folsom Street, Room 260
San Francisco, California 94107

RE: Director's Finding, Pride Foundation vs.
Pacific Telephone and Telegraph Company

Dear Mr. Fottrell:

You are hereby advised that the undersigned, pursuant to my authority under 12B. of the Administrative Code of the City and County of San Francisco and relevant sections thereto appertaining, issues the following findings in the above entitled case:

1. That Respondent, Pacific Telephone Company, discriminates against persons of homosexual orientation in violation of Section 12B. of the Administrative Code as follows:

   a. As a matter of policy, which includes sexual orientation as one of the factors considered in the selection and retention process involving the employment of homosexuals.

   b. As applied in its selection process of screening applicants for employment and in retaining in its employment persons whose sexual orientation becomes manifest during the term of employment.

2. That the Complainant herein does have jurisdiction to bring the said action within the meaning of HRC's Rules of Procedure, and has standing to pursue this Complaint within the language of the Rules.

-more-

3. That the Complaint is supported by individual Complaints filed with HRC on September 22, 1973 alleging discrimination in employment interview and selection, and November 24, 1975 alleging termination due to harassment based on discrimination resulting in termination of employment because of sexual orientation.

4. That Respondent is a contractor of City and County of San Francisco per Department of Public Works Order No. 96,155 et sequitur entering numerous revocable agreements to install pay telephones within the jurisdiction, such agreements being subject to Section 12B. of the Administrative Code (Non-Discrimination Ordinance).

5. That neither state nor federal legislation pre-empts the jurisdiction of Section 12B. for those private employers contracting with the City and County of San Francisco.

Respondent is further advised of its rights to request a show cause hearing in accordance with the Rules of Procedure or an appeal hearing before the full Commission.

The Director of the Department of Public Works is hereby given notice of this finding and, unless reversed or modified by subsequent order of HRC, is to take appropriate action for breach of its agreement.

Sincerely,

Grant S. Mickins
Director

GSM:sjg

cc: Pride Foundation
Commissioners Medearis, Bartlett and Fine

Copies of the Finding were also sent to Thomas O'Connor, City Attorney, and the Director of Public Works Department.

Pacific Telephone has 21 days in which to respond, and to request either a show cause hearing or appeal hearing before the full HRC.

Mr. Mickins that in the past Pacific Telephone representatives have maintained that their policy is justified and that they do not intend to change it.

Mr. Mickins also read in full a statement from Pacific Telephone headed "Employment of Homosexuals".

EMPLOYMENT OF HOMOSEXUALS

Pacific Telephone's employment policy is uniformly applicable to all persons applying for employment and is in compliance with state and federal law.

In the employment process, we do not inquire about homosexuality or sexual orientation. Employment decisions are based on individual merit as it relates to anticipated performance on the job. We do not give favorable consideration to anyone who, in our judgment, may create conflicts with existing employees or the public we serve. This includes, but is not limited to, any manifest homosexual.

Job retention is based upon demonstrable job performance and behavior. We do not ask about an employee's sexual orientation or seek out homosexuals. An employee with a homosexual orientation would not be terminated solely for that orientation.

We believe this policy is consistent with the responsibilities we have to the communities we serve throughout the State of California.

-more-

NEW MATTERS

- Commissioner Fine announced that preparation is under way of tributes to Commissioners Raab and McClain who recently resigned.

- Jack Casford distributed copies of initiative petitions from the Committee for Handgun Control to members of the HRC who wished, as individuals, to gather signatures. The Committee, which the HRC has endorsed and on which it is represented, is leading a State-wide initiative petition drive to put a handgun control measure on the next State ballot.

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NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, March 25, 1976 at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center. NOTE: The April meetings will be April 8th and April 22nd. THE APRIL 22 MEETING WILL BE AT A NEW TIME: 6 P.M. to 8:30 P.M. in the Commission Room of the Main Library.

STANDING COMMITTEES

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Social Programs	Tuesday, April 6, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
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ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
3/17/76

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

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Minutes of the Meeting of March 11, 1976

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* NEXT MEETING: March 25, 1976 *
* Thursday - 9:15 A.M. *
*
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), The Very Rev. C. Julian Bartlett, Rev. George Bedford, Rabbi Alvin I. Fine, Mary O. Ganotise, Joseph Garcia, Sister Mary Bernadette Giles, Peter D. Salvi, Eduardo Sandoval, Charles C. Song, Harvey Wong, David K. Yamakawa, Jr.

Excused: Rev. Victor L. Medearis

Staff

Present: Grant S. Mickins, III, Coke Anoai, Jack Casford, Wayne Redus, Gail Roberts, David Prowler, Lydia San Felippo

Pledge of Allegiance

Minutes of February 26, 1976 approved.

COMMUNICATIONS

- From Virna M. Canson, Regional Director, National Association for the Advancement of Colored People, inviting the HRC to a March 4th meeting to discuss AB 3124 (a measure introduced by Assemblyman Julian Dixon to strengthen the California Fair Employment Practices Commission) and strategy for working for its passage. Director Mickins attended this meeting.

- From L. A. White, Associate Director, The San Francisco Foundation, forwarding a check for $1,000, a gift from the funds contributed to the foundation by Mrs. Charles B. Kuhn. The HRC's response and thanks for this annual gift have been sent to the Foundation and Mrs. Kuhn.

- From Paul D. Hardman, Chairman of the Board, The Pride Foundation, challenging the use of the present eligibility list now being used by the Police Department from which to select officer candidates. The Foundation holds that no homosexual could meet the pre-screening instructions used by the Police Department which stated that "those who were not eligible for induction or enlistment or re-enlistment in the Armed Forces of the United States were not eligible to apply to be Police officers in San Francisco." Director Mickins said that the HRC has been involved in the establishment of a new Police eligibility list. This letter and this issue were referred to the Employment Committee.

- From Harvey M. Rose, Budget Analyst, Board of Supervisors, a copy of a memorandum announcing Finance Committee Hearings on 1976-1977 Departmental Budgets. The HRC hearings will be at 2 P.M. on April 2, 1976.

- From Robert F. Alioto, Superintendent of Schools, San Francisco Unified School District, thanks for the HRC's review of his proposal for Educational Redesign, a report developed by HRC staff based on discussion by Youth and Education Committee members.

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COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- School District Student Suspensions and Drop-Outs, Procedures Followed at the School Site Level

Commissioner Giles briefly reviewed the second working draft of the Committee's study of suspensions in the School District. There has been a decline in suspensions for truancy, from 224 in the 1973-1974 period, to 87 in the 1974-1975 period.

In discussion of procedures at school site levels in the District, it was noted that there are wide variations at this level. Out of 56 elementary schools, for example, Cleveland and Golden Gate had the highest number of suspensions 27 and 23, respectively, while 24 schools had none, 15 had 1 to 2 each. At the intermediate level, John McLaren, Monroe, and Visitacion Valley each had 75 suspensions, while five schools had none. At junior highs, Luther Burbank and Visitacion Valley had the highest with 281 and 272, respectively, while Benjamin Franklin had the least, 23. In senior highs, Lincoln topped the list with 269, followed by Galileo with 196, and Wilson with 188. Opportunity High II had none.

The Committee intends to study a number of different site-level programs, being developed by teachers, administrators and counselors. In the Marina Junior High School, for example, the program includes identity of student, regular reports on academic progress, and consultation with parents. It is hoped that different working plans, with some success, can be studied at the various schools.

Commissioner Giles read part of an editorial in America magazine for February 28, 1976, to bring out the point that truancy/suspensions and pupil behaviour problems are present in Great Britain as well as throughout the United States.

SOCIAL PROGRAMS
Harvey Wong, Chairperson

- Proposed HRC Action on U.S. Senate Bill 1 - Anson Moran, Vice-President, American Civil Liberties Union.

Commissioner had been provided in advance of this meeting with a staff memorandum, plus copies of various analyses and discussions on the controversial bill.

Mr. Moran stated that opposition among many others, came from the ACLU, the National Committee Against Repressive Legislation, the American Friends Service Committee, the National Lawyers' Guild, the International Longshoremen's and Warehousemen's Union, etc.

Mr. Moran briefly reviewed the major points of objection by the above and many other groups in the United States to this proposed legislation, which was written by the Nixon Administration Justice Department largely, and intended to be a revision of the United States Criminal Code. Its opponents maintained that in scores of sections of this complex, 700-plus-page bill, pose a real threat to civil liberties such as dissent, freedom of assembly, of the press, and so forth. The S. 1 proposals would, among other things, establish the equivalent of an Official Secrets Act, thus making it illegal for a newspaper to publich information about government activities the government had not made public. It would broadly define a "riot" as a group of ten or more people deemed posing a threat to property (itself defined as "interests," "privileges," or "rights"). It would so broaden the designation of the residence of the President that demonstrations within earshot or view of the President in a hotel, for example, could be banned by the Federal government. The definition of entrapment has been changed, said Mr. Moran, giving wider latitude to its useage by Federal agents. Wiretapping laws would be expanded, and a 48-hour warrantless tap provided.

A compromise bill, suggested by Senators Scott and Mansfield, also is opposed, inasmuch as it would change the number of the old bill, and delete only 13 objectionable sections. The ACLU has identified 2,260 objectionable sections.

Mr. Moran answered an inquiry from Commissioner Wong by saying that no organization could be found actively supporting passage of S. 1, aside from support-gathering activities of the Justice Department.

The Board of Supervisors voted unanimously to oppose S.1 on February 16, 1976 and Mayor Moscone signed the legislation February 17th.

It was

**** m/s/c that the HRC: (1) join the Board of Supervisors in opposing passage of S.1, and (2) write Senators Tunney (a member of the Senate Judiciary Committee which currently is hearing the bill) Cranston and Kennedy urging that they oppose the Scott-Mansfield compromise move.

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District Manager-Employment
The Pacific Telephone and Telegraph
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633 Folsom Street, Room 260
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RE: Director's Finding, Pride Foundation vs.
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Respondent is further advised of its rights to request a show cause hearing in accordance with the Rules of Procedure or an appeal hearing before the full Commission.

The Director of the Department of Public Works is hereby given notice of this finding and, unless reversed or modified by subsequent order of HRC, is to take appropriate action for breach of its agreement.

Sincerely,

Grant S. Mickins
Director

GSM:sjg

cc: Pride Foundation
Commissioners Medearis, Bartlett and Fine

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ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
3/17/76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

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Minutes of the Meeting of April 8, 1976

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* NEXT MEETING: April 22, 1976 *
* Thursday *
* *
* SPECIAL NOTE: *This meeting time has* *
* *been changed for this* *
* *meeting only to 6 P.M.* *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Carlota del Portillo, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva. Lillian Sing, William Wesley, David K. Yamakawa, Jr.

Staff

Present: Grant S. Mickins, III, Jack Casford, Med Claveria, Jo Daly, Pamela Lee, Wayne Redus, Gail Roberts, Lydia San Filippo.

Pledge of Allegiance

Minutes of the Meeting of March 25, 1976 with the correction of the swearing-in date of the new Commissioners from March 12th to March 18th.

COMMUNICATIONS

- From U. S. Senator Edward M. Kennedy, expressing his opposition to S.1 (the proposed recodification of the U.S. Criminal Code which the HRC formally opposes) in its present form. He did state he has undertaken to develop with other Senators an alternate bill, similar to H.R. 10850.

- From Harvey M. Rose, Budget Analyst, Board of Supervisors, a copy of a memorandum to all department heads regarding revised Finance Committee hearings on the Mayor's proposed 1976-1977 departmental budgets. The HRC hearing will be fourth on the agenda beginning at 9 a.m., Saturday, April 17th in Room 228, City Hall.

- From J. B. Fottrell, District Manager-Employment, The Pacific Telephone and Telegraph Company, filing notice of appeal from the finding of the Director to the effect that Pacific Telephone discriminates against persons of homosexual orientation. Mr. Fottrell asked for a show cause hearing on the matter. Commissioners Herring, Sing, and Yamakawa were named to sit on a hearing panel and directed to set a date and time following this meeting.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a copy of a memorandum to the heads of all City departments and agencies regarding conflict of interest codes. The Board Resolution of March 19, 1976, requires, under the provisions of the Political Reform Act of 1974, every agency of local government to prepare and submit a conflict of interest code to the code reviewing body. In order to assist department heads in complying, the Board has arranged for meetings where a model code will be distributed and discussed. Director Mickins will attend one of these meetings. He suggested that the HRC's Administrative Committee as re-constituted should be involved in this obligation.

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- From Jerry Pruett, for Peter Kiewit Sons' Co., Contractors, regarding the company's proposal on affirmative action for the trucking aspect of a (City) Northpoint Crosstown Transport Project. Director Mickins stated that this issue would shortly be coming before the HRC as an outgrowth of a complaint filed by a group of some 25 minority truckers against Peter Kiewit Sons' Co. with respect to this City contract, claiming that the major portion of trucking being awarded by the Department of Public Works is not being distributed to minority-owned trucking firms. Director Mickins has already met in an attempt to conciliate some of these grievances. This complaint most likely will call for a full panel hearing at the HRC.

- On behalf of the HRC and its staff, individual letters have been sent by Chairperson Caryl Mezey to former Commissioners Medearis, Ganotise, Garcia, Bedford, Song, Wong, Salvi, Bartlett, Sandoval, McClain, and Raab. Commissioner Raab, who appeared in a Special Presentation before the newly-appointed Commissioners on March 25th, was written as follows:

April 8, 1976

Mr. Earl Raab
677 Sanchez Street
San Francisco, California 94114

Dear Earl:

Your colleagues past and present join with the staff of the Human Rights Commission in this expression of our feelings on your recent resignation from the HRC.

The Human Rights Commission, quite simply, probably would not exist today--and surely would not exist in its present state of vigor and influence--without you. Long before there was any formal HRC as part of City government, yours was a voice in this community for constructive social change, and that voice made itself heard from the first with your appointment as a member of the original HRC in July of 1964. At that time, you served as Vice-Chairperson of the Interim Committee on Human Relations. The Interim Committee report of October, 1964, encompassing without doubt many of your creative and innovative ideas, served as a fundamental guideline for the new HRC. As a working, active member of this HRC since that date, you have been the architect of many of its most meaningful policies. You have served as chairperson of most major committees, notably the Employment, Housing and Urban Development, and Police Liaison Committees.

You have been a spokesperson for rational intelligence and for the application of experience and common sense in response to sometimes-fiery community feelings. You have been a mediator, a negotiator, a catalyst, and, most of all, a defender of the HRC's cherished independence of thought and action. You have specialized in the long rather than the short-range viewpoint, and related local concerns to broad social issues and trends. You put things into perspective, so the Commissioners and staff could come to grips with them in a rational, logical manner.

For all these gifts which you so generously and untiringly gave to the HRC, and, through its work, to the people of this City, we thank you, Earl.

We refuse to think of you as gone. Though distanced now from the HRC itself, we know that you will continue to serve the Commission and the City of San Francisco by your continued defense and protection of the human rights of the poor and powerless in our community.

Most sincerely,

Caryl Mezey

CM:pa

SPECIAL ORDER

- Chairperson Mezey announced the following Standing Committee assignments, to serve to January, 1977:

Vice-Chairperson and Chairperson of the Administrative Committee - David Yamakawa

Employment Committee

Chairperson - Alvin Fine
Co-Chairperson - David Yamakawa
Members - Carlota del Portillo, Sylvester Herring, Lillian Sing

Gay Advisory Committee

Chairperson - Phyllis Lyon
Member - Dan Silva

Housing and Urban Development

Chairperson - Tony Grafilo
Co-Chairperson - Enola Maxwell
Member - John Morrissey

Police Liaison Committee

Chairperson - John Morrissey
Co-Chairperson - Sylvester Herring
Member - Phyllis Lyon

Social Programs Committee

Chairperson - Dan Silva
Co-Chairperson - open
Members - Sister Bernadette Giles, Carlota del Portillo

Youth and Education Committee

Chairperson - Sister Bernadette Giles
Co-Chairperson - William Wesley
Member - Enola Maxwell

STANDING COMMITTEES

GAY ADVISORY
Phyllis Lyon, Caryl Mezey

- Appointment of Gay Advisory Replacement Member - Commissioner Lyon

Appointment of the original three members of the Committee was on recommendation of a committee consisting of Commissioners Fine, Sandoval, Mezey, and Bedford, The three were selected from five finalists who submitted applications and resumes. Commissioner Lyon was one of the original three, and her appointment as Commissioner left one vacancy. Patricia E. Norman was one of the five finalists. Her application letter and resume were re-activated, and on nomination of Commissioner Lyon, it was

****m/s/c unanimously that Ms. Norman be elected a member of the Gay Advisory Committee.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson

- Staff Report and Committee Recommendations on San Francisco Unified School District Suspension Report for 1974-1975 School Year - Pam Lee, HRC Community Liaison Staff.

Ms. Lee reviewed highlights of a long and exhaustive report she had compiled, as principal author, under the supervision of Gail Roberts, HRC Coordinator of Community Organization. The report included eight tables of supportive statistics. Commissioner Giles, who introduced Ms. Lee, said that the report had been praised highly by Robert Figone, Supervisor, Student Placement, of the SFUSD.

On November 7, 1974, the HRC adopted eight specific recommendations on the suspension policies and procedures of the District. They included: notice of parent responsibility, evaluation of the effectiveness of suspension, ethnic identification of the teacher or administrator initiating suspension, alternatives to suspension, exploration of why Black students are suspended more frequently than other groups, in-service training for school staff, and a study of the reasons for a decline in suspensions, and the different suspension rates among schools.

Ms. Lee reported that none of the recommendations have been followed up or implemented. Suspensions have not, she said, been subjected to hard analysis, such as trying to determine why Black students form a disporportionately high number of those suspended. The District says it does not have adequate staff to do this work, Ms. Lee reported. The District also has been "reluctant" to accept the HRC's 1974 recommendation that the ethnic identification of the school staff member doing the suspending be recorded. It appears that recommendations pertaining to informing students and parents about suspension procedures and for exploring alternatives prior to suspensions rest at the discretion of each site principal.

Ms. Lee pointed out that in 1974-1975 school year, truancy/cutting was 5.8% of all suspensions, a figure which fell in the 1974-1975 school year. to 1.9%. However, Ms. Lee said, it is not fully known why this decline.

**** Commissioner Morrissey asked if Ms. Lee could obtain figures on the percentage of attendance in the District, as a means of indicating if the absence rate generally has declined, with students absent but not suspended.

Suspension statistics for the 1974-1975 school year show that fighting, insubordination/defiance, physical attacks on students, and profane language are the major reasons for suspensions at all school levels, with truancy/cutting prevalent only the junior senior high schools.

Ms. Lee discussed the School Attendance Review Board (SARB) which was established January 1, 1975 as a State mandate through S.B. 1742. The intent of the legislation is to provide intensive guidance and coordinated community services to meet the special needs of pupils with school attendance problems or school behavior problems. The objectives focus on the encouragement of "exhaustive utilization" of services and resources for the prevention of juvenile delinquency and diversion of youth from referral to the Juvenile Court. However, said Ms. Lee, the Supervisor of Services Attendance Officer screens referrals to SARB.

Ms. Elaine Mannon, chairperson of SARB, later in this meeting spoke briefly to it, describing its work. She said the board had to date made only five referrals to Juvenile Court, that its members are volunteers who are not operating as both a county and a district board doing consultant and research studies and direct service counseling for students and parents. They are attempting now through SFUSD pupil Public Services to recommend establishment by the Board of Education of separate District Boards. The county SARB would then coordinate district SARBs, more locally-based. SARB presently reports to the State Superintendent of Education, Wilson Riles. SARB meets once a week for four hours and hold four conferences. It is seeking to widen its minority representation. It has heard approximately fifty cases to date.

Ms. Lee's report called for a number of changes in the SARB system, including establishment of the district SARBs, more conferances (held in student' residence areas), letters sent to parents in the student's native language (now being started), etc.

The report quoted verbatim, for information, the School District's instruction bulletins of April 9, 1975, setting forth reasons and procedures for suspensions.

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Ms. Lee reported that the revenue received by the District from the State for Average DAily Attendance (ADA) is 72 cents per day per student. The amount lost in the school year, due to suspensions is not large. It is estimated that for the 1974-1975 school year, the figure would be $16,336, including seven special schools suspensions.

In reviewing the statistical tables, Ms. Lee pointed out these findings:

1. Three quarters of the students in the District are minority: Spanish-surnamed (14.5%), Blacks (29.8%), Asian (18.8%), Filipino (8.2%), other Non-Whites (3.4%).

2. Suspensions in the junior high level appear to be twice that of either elementary or high school levels. Again, as in previous years, Black students are suspended disproportionately to the other ethnic groups. While Blacks constitute 29.8% of the total student population, their suspension rate averages 66.5% of total suspensions.

3. 3,093 students are suspended only once, while 615 students accounted (in 1974-1975) for 1,510 suspensions. Of the students suspended more than once, the rate of Blacks suspended is seven times that of the other ethnic groups.

4. The number of suspensions for 1974-1975 school year showed an increase of 735 over the preceding year, and suspensions in the 1974-1975 school year were higher than those of the preceding two years.

As the HRC had pointed out in earlier reports, some schools at all levels (elementary, primary and intermediate level, junior and senior high schools) have much higher rates of suspensions than others and some have none. Ms. Lee pointed out that integration is not yet complete at all schools and that racial minorities still tend to be concentrated in certain schools.

In subsequent commentary, Commissioner Wesley stated that he would favor recommending the establishment of a counseling/psychiatric evaluation unit for students and teachers becuase of the difficulties of cross-cultural misunderstandings of behavior patterns.

Commissioner del Portillo stated that she would question the ethnic identification figures provided by the School District. She asked if figures were available on the suspension rate for Black Latinos, but Ms. Lee said she did not have these figures. Ms. Roberts informed her that two years ago the Youth & Education Committee, unsuccessfully, had recommended to the Commission that the School District use self-identification for ethnic classification, rather than leaving it up to designation by teachers in the classroom.

It was

**** m/s/c that the HRC adopt the Report on San Francisco Unified School District Suspensions, 1974-1975 School Year.

- There was a reading in full of the Youth and Education Committee Recommendations on Suspensions, and, after discussion, and minor amendments, it was

**** m/s/c that the HRC

1. Request introduction in the State Legislature of legislation to revise the State Education Code as follows:

    (a) repeal suspension for truancy/cutting, and
    (b) encourage alternatives to suspensions.

2. Strongly recommend that the School District authorize the following studies:

    (a) reasons for the disproportionately high number of Blacks suspended,

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(b) reasons for the differential suspension rate in the different schools, and

(c) the correlation between poor performance in school, suspension, and eventual dropouts.

3. In order to standardize the dissemination of basic information, recommend that the Central Office (Elementary and Secondary Divisions) prepare and send out to parents and students in the beginning of each school year, multilingual information concerning:

(a) acts for which students could be suspended,
(b) procedures for suspensions,
(c) rights and responsibilities of parents, and
(d) rights and responsibilities of students.

The Human Rights Commission further recommends that the above information be printed in general circulation as well as in community and ethnic newspapers.

4. Recommend that multilingual staff be available at school sites to insure that all students and parents have equal access to the benefits of counseling services, conferences with staff, alternative education or other programs. Multilingual information regarding the availability of services shall be at each school site.

5. Re-emphasize the following previously-adopted HRC recommendations (made in November of 1974) which have yet to be implemented by the San Francisco Unified School District:

(a) The recording procedure (in suspensions) should be revised to include:

(1) a brief description of what actually took place, and
(2) alternatives explored prior to suspension.

(b) the recording procedure should also include the ethnic identification of the administrator or teacher initiating the suspension.

(c) the Annual Report of Suspensions should include an evaluation of the effectiveness of suspension or its alternative in altering behavior or in reducing the occurrence of disruptive behavior.

- The Youth and Education Committee also had recommended that there be a study by the HRC of disruptive behavior in the classrooms of the District and that it consider a Task Force, representative of the total community, to look into the matter in a comprehensive manner, with the Task Force findings to be presented to the HRC with recommendations for implementation.

After considerable discussion about this Task Force Recommendation from Commissioners, it was

****m/s/c that this Recommendation be referred back to the Youth & Education Committee for further specificity.

EMPLOYMENT
Rabbi Alvin I. Fine, Co-Chairperson

- Assembly Bill 3124 re: Changes in the functions of the State Fair Employment Practices Commission - Wayne Redus

The Gay Advisory and Employment Committees are meeting together to discuss this measure and draw up a recommendation that the HRC endorse it at a future meeting. The measure would, among other things, change the FEPC name to California Civil Rights Commission in the Division of Civil Rights. It would also change some of the duties of the Commission. It would be able to initiate complaints on its own, rather than, as now, responding only to complaints brought to it.

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SOCIAL PROGRAMS

- Committee Report - Jack Casford

The Committee will have David Ilchert, Regional Director of the U.S. Immigration & Naturalization Service, at its meeting of Tuesday, May 18th as a follow-up on its concerns about policies regarding deportation of alien immigrants as earlier announced by the Service. This meeting was to have been April 6th but was postponed.

A letter has been sent to the Senate Agricultural Committee on behalf of the Committee expressing concern over a bill it is reporting out to the Senate that would reportedly eliminate some 3 million needy people from the program and reduce the benefits of an additional 3 million.

The Multilingual Task Force will be sending its recommendations for City compliance through the Office of the Registrar of Voters with the Voting Rights Act to the Committee for its consideration.

Charles Drocco of The Pacific Telephone and Telegraph Company will be scheduled to meet at a later date for continuing discussion of services to the non-English-speaking public.

- Letters will be sent to two private service agencies in the City responding to their written concerns about a statement made in the minutes of the Committee, not the minutes of the HRC, by Mr. Ray Uzeta.

POLICE LIAISON
David Yamakawa, Chairperson

No report. The last scheduled meeting was cancelled due to the number of members whose Police duties precluded them from coming.

DIRECTOR'S REMARKS

- The HRC in 1975 received an age discrimination complaint from an individual in connection with a contract at San Francisco General Hospital. This complaint ultimately will require a hearing when the complainant has chosen which means he wishes to be used by the HRC. Director Mickins in October, 1975, (after an Administrative Hearing with all parties) issued a Finding rejecting the complaint as originally filed, and the complainant has chosen to the appeal the Finding. Director Mickins read the complainant's letter in full. When he has chosen the means by which he wishes his appeal to be heard, that will be scheduled.

- The HRC has written to the FEPC on request of the Gay Advisory Committee stating its support for adding sexual orientation to the Fair Employment Practices Act.

- Director Mickins read in full the following letter to the Office of the Mayor relative to the tentative recommendations of his office for deletions in the 1976-1977 budget:

Dear Mayor Moscone:

The Commission was recently advised that the 1976-1977 budget of the Human Rights Commission, tentatively approved by the fiscal division of your office and proposed for submission to the Board of Supervisors, has deleted all requested new positions. In addition, we have noted with astonishment that an additional permanent position under the classification of 2996 HRC Representative is being defunded. This in effect reduces a staff of permanent employees, which stood at 14 in 1966, to 12 in 1976. As was indicated in budget discussions with your office, a permanent clerical position was deleted by this method in the 1975-1976 budget review.

This reduction would occur despite increases in the scope of our responsibilities and an increasing number of complaints from 1966 to 1976, and also despite your emphasis on the present importance of its responsibilities.

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We are nonetheless convinced that you continue to hold the aims and goals of the Commission among your highest priorities and respectfully and urgently request your personal reconsideration of the proposed deletions and minimum budget request.

Sincerely,

Caryl Mezey
Chairperson

With minor changes and additions, as encompassed above, it was

**** m/s/c that the HRC approve sending this letter to Mayor Moscone.

- Commissioner Grafilo's earlier suggestion that the HRC and staff meet for a social occasion together has received an offer from Commissioner Herring for such an event to be held on April 26th at the Delancey Street Restaurant on Union Street.

NO NEW MATTERS

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next meeting of the HRC will be April 22, 1976 from 6 p.m. to 8:30 p.m. in the Commission Room of the Main Library in the Civic Center. The May 13th meeting will be at 9:15 a.m.; the May 27th meeting will be in the evening from 6 p.m. to 8:30 p.m.

STANDING COMMITTEES

Employment	Thursday, May 6, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, May 6, 1976 3:30 p.m. Cathedral House Library - Grace Cathedral Thursday, May 20, 1976 - 3:30 p.m. Cathedral House Library - Grace Cathedral
Police Liaison	Wednesday, April 21, 1976 4 p.m. HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, May 18, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, April 20, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco
Joint Meeting: Gay Advisory and Youth & Education Committees	Thursday, April 29, 1976 3:30 p.m. Lovgren Room Grace Cathedral - 1051 Taylor Street

Adjournment

Respectfully submitted,

Grant S. Mickins, III
via Jack Casford

GSM:JC:pa

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of April 22, 1976

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* *
* NEXT MEETING: May 13, 1976 *
* Thursday - 9:15 A.M. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
* *
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NOTE:

See under Calendar Matters section of these Minutes the schedules of the HRC's regular standing committee meetings.

**This April 22, 1976 meeting was held at 6 p.m. in Room 710 of the Commission on the Aging offices at 1095 Market Street.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Carlota del Portillo, Rabbi Alvin I. Fine, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Lillian Sing, David K. Yamakawa, Jr.

Excused: Sister Mary Bernadette Giles, Dan Silva, William Wesley

Present: Grant S. Mickins, III, Jack Casford, Med Claveria, Pam Lee, David Prowler, Wayne Redus, Gail Roberts, Emmet Rosebrough, Lydia San Filippo.

Pledge of Allegiance

Minutes of the Meeting of April 8, 1976 approved.

COMMUNICATIONS

- From Darrell Salomon of the Civil Service Commission requesting that he be sent the agendae of the Police Liaison and the Gay Advisory Committees.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, on behalf of Supervisor Terry A. Francois concerning San Francisco's Affirmative Action Program as related to the San Francisco Symphony. Supervisor Francois asked that the HRC inquire into his concern that the Affirmative Action Program "may not be currently a part of the...Symphony's on-going personnel management policies." Attached to this correspondence was a copy of the resume of Ms. Elayne Jones, former typanist with the San Francisco Symphony.

Director Mickins noted that the Supervisor had earlier raised a question about the failure of the Symphony to renew the player contract of Ms. Jones which had been the subject of considerable controversy, publicity, and litigation beginning approximately two years ago. The HRC, Mr. Mickins reported, had been an unofficial observer only, at the request of some community people, at some of the meetings that took place on behalf of Ms. Jones. Mr. Mickins already has initiated the HRC's response to Mr. Francois' request regarding the Symphony's affirmative action program, if any. The HRC is working on a draft to offer to the Symphony as an affirmative action guideline, and staff has contacted Ms. Jones informally regarding her grievance. The HRC is making a distinction between the personal grievance case (where it may no longer have legal jurisdiction) and the issue of the affirmative action program of the Symphony.

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Wayne Redus briefly described the HRC's involvement in the Elayne Jones grievance dating back approximately two years ago when it was approached by two individuals on her behalf. Ms. Jones never filed a formal complaint with the HRC,and it never became formally involved with her grievance. However, the HRC helped form a group composed of persons involved in the performing arts in the City and the group researched affirmative action policies in other areas, such as the New York Philharmonic and the Metropolitan Opera Company. A questionnaire was prepared regarding hiring policies of the San Francisco Symphony, Opera and Ballet and each returned the completed questionnaires. The HRC jurisdiction was due to the fact that each company leases space from the City's War Memorial Opera House. Meetings were held with the management staffs of the Opera, Ballet, and Symphony companies, with labor, and with community people.

- From R. Dan Gardner, Director of Staff, Yerba Buena Center Select Committee, requesting that the HRC submit a comprehensive written report on the status of the City's affirmative action program including "all relevant Federal, State and local affirmative action guidelines and criteria...", and that the HRC give ad hoc advice on matters relating to affirmative action compliance during the course of the Committee's replanning schedule. The first requested material was sought by Mr. Gardner the first week of May. The request letter was received April 21st. Mr. Gardner also stated that continued representation by the HRC at his Committee's meetings would be appreciated.

- Mr. Mickins stated that Commissioner Maxwell had brought a community coalition group to his office recently requesting a meeting with the Mayor regarding their frustrated efforts to get a start on some parts of YBC. Staff was asked to reassess the programs which the HRC has over the past several years developed on affirmative action for YBC. This material will be helpful in meeting the request of the Select Committee, Mr. Mickins said. The full report requires much staff time to prepare, however, and it was announced that Marvin Robinson, who has been assigned specifically to implementing affirmative action for the HRC on the YBC, is resigning. Mr. Mickins noted that as far back as 1972, the HRC had drafted at least three affirmative action employment plans (construction and services aspects) for the YBC development. Mr. Redus stated that the HRC and the Redevelopment Agency had worked out an affirmative action plan which would be enforced by the HRC with public construction contractors and by the Agency with private firms.

**** Commissioner Grafilo announced that the Select Committee will hold a public hearing regarding YBC on Saturday, April 24th at 2 p.m. at Silvercrest Manor at 133 Shipley Street (a Salvation Army facility).

- From Raymond Uzeta, President, San Francisco Chapter, California Association of the Physically Handicapped, Inc., regarding a statement attributed to him in the HRC Minutes of February 26, 1976"...no agencies in the city currently are providing these services," in connection with his presentation asking for HRC endorsement of a grant proposal for the establishment of a disabled service center in San Francisco. Mr. Uzeta wrote that the point he was making to the HRC was "that no single agency provides all the services that we propose providing as a disabled administered service center." Letters have been sent on behalf of the Social Programs Committee responding to protests to Mr. Uzeta's statement by three community agencies, the United Cerebral Palsy Association of San Francisco, the Hearing Society for the Bay Area, Inc., and the National Multiple Sclerosis Society. Mr. Uzeta stated further "...we anticipate working cooperatively with the various agencies in the city to fill unmet needs of the disabled."

- To Peter Kiewit Sons' Co. of Concord, California, and Chet C. Smith Trucking Co., of San Francisco, formal notification by the HRC of a complaint filed with it of alleged discrimination on the basis of race, or national origin or ancestry by Martin L. Johnson, et al. Reply to the charges may be made within 21 days (from the April 20th date of sending of the notice). Copies of the notice were sent to the City Department of Public Works, Mr. Johnson, the City Attorney, and Commissioners Mezey and Fine.

- From Diane Perreira, Partner/Office Mgr., Perreira's Trucking Company, of San Leandro, stating, in part, "It is our understanding that Martin L. Johnson (the complainant against Peter Kiewit Sons's Co. and Chet C. Smith Trucking Co. above) gives the impression that he is representing the minority group in the entire Bay Area. We are an individual company and represent ourselves on any

job on which we are bidding or making contacts. We feel we should be able to work wherever we wish and are capable of performing to the satisfaction of the contractor."

SPECIAL ORDER

- HRC Complaints Caseload Report - Jack Casford

One of the heaviest complaints caseload in its 12-year history is being handled by the Human Rights Commission so far in 1976, a trend that is a carry-over from the 21 percent jump for the 1975 calendar year over 1974.

The latest complete compilation shows that 13 staff members dealt with 853 complaints in 1975; they worked on 671 in 1974. In the major HRC areas of employment, housing, and education/community liaison, the figures were: Employment-320, compared to 288 in 1974; Housing-182, compared to 140 in 1974; and Education/Community Liaison-165, compared to 141 in 1974.

The 853 complaints are those that staff members did more than simply record. They required counseling, referral, letters, telephone calls, consultation or mediation with other agencies or staff, follow-up, and so forth.

The additional 186 complaints for 1975 (besides the major categories) are grouped as "Other" by the staff because of their unclassifiable nature, e.g., disturbed people, for the most part, who require primarily someone to listen to their fears or frustrations or disappointments or angers.

One of the most difficult aspects of complaints-handling, and one the HRC staff has to face daily, is the reality of what can be done. The staff person is faced with trying to provide relief to people who may have been to many other agencies over a long period of time, or people with complaints that stem from injustices, real or imagined, that took place long ago and far away, or even only in the mind of the complainant.

More realistically, staff also tries to provide assistance for people trying to cope with the system, large numbers of whom want legal advice and representation. They want someone to personally speak for them, write letters for them, investigate their jobs, their places of residence, intercede with employers, with landlords, with waitresses or store clerks, or any one of a hundred other contacts where some problem arises.

What the HRC staff has to do is provide, with its very limited resources, whatever it can, while at the same time letting the complainant know that it cannot: provide lawyers, investigators, personal representatives, money, free housing, an instant job, a change in regulations of another agency, etc.

The incredible thing about complaint work, the staff has found, is that most people are grateful for what help they get, and that they grasp what can and what cannot be done.

One staff person deals particularly with complaints filed with the HRC by persons alleging a variety of problems in their jobs with City departments (the Civil Service System). Two hundred and three of these cases were processed by the HRC in 1975. The trends of these complaints were: class actions (several persons usually in the same Civil Service job classification) and/or in-service problems (people in the CSC having problems as opposed to persons outside trying to get work).

In contract compliance/affirmative action work with City contractors, an HRC affirmative action officer does conduct investigations on individual complaints (eight in 1975 settled; one resulting in a hearing with a ruling against the complainant). This staff also initiates complaints against City (with the City's Nondiscrimination Ordinance) contractors for noncompliance, and handles other routine employment complaints.

The cases reported numerically do not include the countless requests for information, or for copies of reports or statistical material the HRC can provide, or telephone or walk-in inquiries---all requiring staff time---that occur in any public agency.

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With the widening of the HRC's discrimination category responsibility to include sex, sexual orientation, and physical disability, the numbers of those kinds of complaint cases coming in are on the increase.

The breakdown by category of the HRC's complaints caseload for 1975:

Employment	320
Housing	182
Education/Community Liaison	165
Other	186
Total	853

- Commissioner Fine noted that it was ironic that the HRC complaints caseload increases so substantially in light of the fact that some two years ago the HRC was denied permission by the Board of Supervisors to accept a financial grant from the San Francisco Foundation to operate a one-year pilot ombudsman program.

- Commissioner Lyon suggested that the HRC establish an advisory body, such as Friends of the HRC, as other agencies have done, to be able to accept grants such as was offered by the San Francisco Foundation.

- It was pointed out by Jack Casford, in subsequent discussion on what the HRC can do and what it cannot in trying to deal with personal complaints, that referral is made whenever possible to agencies that have some specific jurisdiction, but that the HRC shares with the Fair Employment Practices Commission, the Equal Employment Opportunity Commission, and the Neighborhood Legal Assistance Foundation the heavy obligations that come from being the few agencies that take the same kinds of complaints.

- Commissioner del Portillo described the difficulties of trying to provide various City communities with information on how their problems can be resolved, given the limited number of resource agencies. Commissioner Sing concurred in the frustrations of the HRC's trying to meet these increasing needs.

- It was pointed out that staff tries to explain to many clients that the HRC, while not an individual complaint caseload agency by mandate, does work to try to affect public and private policy in employment, in housing, and in education that will have a widening effect on the human rights and welfare of large numbers of people, e.g., its work with a coalition on the City ordinance forbidding didscrimination in housing against families with children.

- Director Mickins, commenting following discussion about how to enhance what means for meeting community needs that now exist, and how to get the City to take a more positive step such as adoption of a formal Affirmative Action Plan, etc., said that the City (the Civil Service System) presently does not have such a plan, but does have an Affirmative Action Policy Statement. Director Mickins did meet with the Mayor and Civil Service General Manager Bernard Orsi and Mr. Orsi was asked by the Mayor to start working with the HRC to develop an affirmative action plan. It was agreed that there would be a survey of the City's workforce based on the master payroll which will be completed at the end of April. The HRC has for a number of years done an ethnic breakdown of the City's workforce, a function now taken over by the Civil Service Commission. With this report as a resource, it has been suggested that a policy committee, be set up with the Mayor or his designee as chairperson, and the HRC and the heads of all major City departments as members. This committee could develop an affirmative action program for each department.

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Mr. Mickins announced also that Stanley Lim, with staff, has nearly finished a draft of a tentative revision of requirements for affirmative action for City construction contractors. This draft will be discussed at an Employment Committee meeting in the near future. Revision is also being completed on the contract compliance requirements for City contractors for goods and services and this is on the agenda for discussion at the next Employment Committee meeting of May 6th.

- Commissioner Fine suggested that as a continuation of discussion by Commissioner Morrissey, Sing, Maxwell and Herring on the ability of the HRC to meet its obligations and community services under its mandate in addition to its heavy complaint caseload, there be drawn up a four-year program of objectives and priorities for the HRC to be presented to the Mayor. Commissioner Yamakawa suggested that the Mayor be asked to meet with the HRC before such a program is drawn up to get his thoughts for inclusion and consideration.

- Commissioner Sing urged the solicitation of community input before a long-range plan is drawn up for the HRC.

- Chairperson Mezey announced that the May 3rd meeting of the HRC Administrative Committee (made up of the chairpersons of each of the Standing Committees) will be charged with considering the suggestions of this discussion on the drafting of a long-range HRC program of objectives and priorities. Vice-Chairperson Yamakawa is chairperson of the Administrative Committee. Commissioner Herring was asked to attend this meeting as well. Commissioner del Portillo asked that this subject be on the agenda for the next HRC meeting of May 13th.

GAY ADVISORY COMMITTEE - YOUTH AND EDUCATION COMMITTEE
Chairperson Phyllis Lyon, Dan Silva - Chairperson Sister Giles, Co-Chairperson William Wesley, Enola Maxwell

- Before the Committee Report, Commission Fine reported that the Gay Advisory and Employment Committees will meet, at HRC direction, to consider Assembly Bill 3124 (which would change and expand the powers of the Fair Employment Practices Commission). The two Committees are in informal agreement, he said, on all but one of the provisions of the proposed State measure: the Gay Advisory Committee wants not to support AB 3124 unless it includes specifically sexual orientation as an FEPC obligation. These two committees will next meet jointly May 6th at 9:30 a.m.

- Committee Report - Commissioner Lyon

A joint meeting was held by these Committees April 8th. They will meet together again April 29th to complete work on a proposed Board of Education Resolution regarding the Gay community and to discuss other items pertinent to Gay community concerns relating to the San Francisco Unified School District.

DIRECTOR'S REMARKS

- The 1976-1977 Budget of the HRC

Mr. Mickins reported that the Mayor's Office had submitted an HRC budget with no new staff positions, and with a funding increase of $42,339, representing mandatory incremental increases. Two typewriters would be provided. It was stressed that the Finance Committee has yet to release its recommendations on departmental budget. The Board of Supervisors' public hearing on budget proposals is set for April 27th.

- At this point Chairperson Mezey asked to be excused and Vice-Chairperson Yamakawa took the gavel.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, May 13, 1976 at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center.

-more-

STANDING COMMITTEES

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Gay Advisory	Thursday, April 29, 1976 3:30 p.m. (with Youth & Education) Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco Tuesday, May 4, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
4:29:76

/76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of April 22, 1976

DOCUMENTS
MAY 6 1976
SAN FRANCISCO

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* *
* NEXT MEETING: May 13, 1976 *
* Thursday - 9:15 A.M. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
* *
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NOTE:

See under Calendar Matters section of these Minutes the schedules of the HRC's regular standing committee meetings.

**This April 22, 1976 meeting was held at 6 p.m. in Room 710 of the Commission on the Aging offices at 1095 Market Street.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Carlota del Portillo, Rabbi Alvin I. Fine, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Lillian Sing, David K. Yamakawa, Jr.

Excused: Sister Mary Bernadette Giles, Dan Silva, William Wesley

Present: Grant S. Mickins, III, Jack Casford, Med Claveria, Pam Lee, David Prowler, Wayne Redus, Gail Roberts, Emmet Rosebrough, Lydia San Filippo.

Pledge of Allegiance

Minutes of the Meeting of April 8, 1976 approved.

COMMUNICATIONS

- From Darrell Salomon of the Civil Service Commission requesting that he be sent the agendae of the Police Liaison and the Gay Advisory Committees.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, on behalf of Supervisor Terry A. Francois concerning San Francisco's Affirmative Action Program as related to the San Francisco Symphony. Supervisor Francois asked that the HRC inquire into his concern that the Affirmative Action Program "may not be currently a part of the...Symphony's on-going personnel management policies." Attached to this correspondence was a copy of the resume of Ms. Elayne Jones, former typanist with the San Francisco Symphony.

Director Mickins noted that the Supervisor had earlier raised a question about the failure of the Symphony to renew the player contract of Ms. Jones which had been the subject of considerable controversy, publicity, and litigation beginning approximately two years ago. The HRC, Mr. Mickins reported, had been an unofficial observer only, at the request of some community people, at some of the meetings that took place on behalf of Ms. Jones. Mr. Mickins already has initiated the HRC's response to Mr. Francois' request regarding the Symphony's affirmative action program, if any. The HRC is working on a draft to offer to the Symphony as an affirmative action guideline, and staff has contacted Ms. Jones informally regarding her grievance. The HRC is making a distinction between the personal grievance case (where it may no longer have legal jurisdiction) and the issue of the affirmative action program of the Symphony.

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Wayne Redus briefly described the HRC's involvement in the Elayne Jones grievance dating back approximately two years ago when it was approached by two individuals on her behalf. Ms. Jones never filed a formal complaint with the HRC,and it never became formally involved with her grievance. However, the HRC helped form a group composed of persons involved in the performing arts in the City and the group researched affirmative action policies in other areas, such as the New York Philharmonic and the Metropolitan Opera Company. A questionnaire was prepared regarding hiring policies of the San Francisco Symphony, Opera and Ballet and each returned the completed questionnaires. The HRC jurisdiction was due to the fact that each company leases space from the City's War Memorial Opera House. Meetings were held with the management staffs of the Opera, Ballet, and Symphony companies, with labor, and with community people.

- From R. Dan Gardner, Director of Staff, Yerba Buena Center Select Committee, requesting that the HRC submit a comprehensive written report on the status of the City's affirmative action program including "all relevant Federal, State and local affirmative action guidelines and criteria...", and that the HRC give ad hoc advice on matters relating to affirmative action compliance during the course of the Committee's replanning schedule. The first requested material was sought by Mr. Gardner the first week of May. The request letter was received April 21st. Mr. Gardner also stated that continued representation by the HRC at his Committee's meetings would be appreciated.

- Mr. Mickins stated that Commissioner Maxwell had brought a community coalition group to his office recently requesting a meeting with the Mayor regarding their frustrated efforts to get a start on some parts of YBC. Staff was asked to reassess the programs which the HRC has over the past several years developed on affirmative action for YBC. This material will be helpful in meeting the request of the Select Committee, Mr. Mickins said. The full report requires much staff time to prepare, however, and it was announced that Marvin Robinson, who has been assigned specifically to implementing affirmative action for the HRC on the YBC, is resigning. Mr. Mickins noted that as far back as 1972, the HRC had drafted at least three affirmative action employment plans (construction and services aspects) for the YBC development. Mr. Redus stated that the HRC and the Redevelopment Agency had worked out an affirmative action plan which would be enforced by the HRC with public construction contractors and by the Agency with private firms.

**** Commissioner Grafilo announced that the Select Committee will hold a public hearing regarding YBC on Saturday, April 24th at 2 p.m. at Silvercrest Manor at 133 Shipley Street (a Salvation Army facility).

- From Raymond Uzeta, President, San Francisco Chapter, California Association of the Physically Handicapped, Inc., regarding a statement attributed to him in the HRC Minutes of February 26, 1976"...no agencies in the city currently are providing these services," in connection with his presentation asking for HRC endorsement of a grant proposal for the establishment of a disabled service center in San Francisco. Mr. Uzeta wrote that the point he was making to the HRC was "that no single agency provides all the services that we propose providing as a disabled administered service center." Letters have been sent on behalf of the Social Programs Committee responding to protests to Mr. Uzeta's statement by three community agencies, the United Cerebral Palsy Association of San Francisco, the Hearing Society for the Bay Area, Inc., and the National Multiple Sclerosis Society. Mr. Uzeta stated further "...we anticipate working cooperatively with the various agencies in the city to fill unmet needs of the disabled."

- To Peter Kiewit Sons' Co. of Concord, California, and Chet C. Smith Trucking Co., of San Francisco, formal notification by the HRC of a complaint filed with it of alleged discrimination on the basis of race, or national origin or ancestry by Martin L. Johnson, et al. Reply to the charges may be made within 21 days (from the April 20th date of sending of the notice). Copies of the notice were sent to the City Department of Public Works, Mr. Johnson, the City Attorney, and Commissioners Mezey and Fine.

- From Diane Perreira, Partner/Office Mgr., Perreira's Trucking Company, of San Leandro, stating, in part, "It is our understanding that Martin L. Johnson (the complainant against Peter Kiewit Sons's Co. and Chet C. Smith Trucking Co. above) gives the impression that he is representing the minority group in the entire Bay Area. We are an individual company and represent ourselves on any

job on which we are bidding or making contacts. We feel we should be able to work wherever we wish and are capable of performing to the satisfaction of the contractor."

SPECIAL ORDER

- HRC Complaints Caseload Report - Jack Casford

One of the heaviest complaints caseload in its 12-year history is being handled by the Human Rights Commission so far in 1976, a trend that is a carry-over from the 21 percent jump for the 1975 calendar year over 1974.

The latest complete compilation shows that 13 staff members dealt with 853 complaints in 1975; they worked on 671 in 1974. In the major HRC areas of employment, housing, and education/community liaison, the figures were: Employment-320, compared to 288 in 1974; Housing-182, compared to 140 in 1974; and Education/Community Liaison-165, compared to 141 in 1974.

The 853 complaints are those that staff members did more than simply record. They required counseling, referral, letters, telephone calls, consultation or mediation with other agencies or staff, follow-up, and so forth.

The additional 186 complaints for 1975 (besides the major categories) are grouped as "Other" by the staff because of their unclassifiable nature, e.g., disturbed people, for the most part, who require primarily someone to listen to their fears or frustrations or disappointments or angers.

One of the most difficult aspects of complaints-handling, and one the HRC staff has to face daily, is the reality of what can be done. The staff person is faced with trying to provide relief to people who may have been to many other agencies over a long period of time, or people with complaints that stem from injustices, real or imagined, that took place long ago and far away, or even only in the mind of the complainant.

More realistically, staff also tries to provide assistance for people trying to cope with the system, large numbers of whom want legal advice and representation. They want someone to personally speak for them, write letters for them, investigate their jobs, their places of residence, intercede with employers, with landlords, with waitresses or store clerks, or any one of a hundred other contacts where some problem arises.

What the HRC staff has to do is provide, with its very limited resources, whatever it can, while at the same time letting the complainant know that it cannot: provide lawyers, investigators, personal representatives, money, free housing, an instant job, a change in regulations of another agency, etc.

The incredible thing about complaint work, the staff has found, is that most people are grateful for what help they get, and that they grasp what can and what cannot be done.

One staff person deals particularly with complaints filed with the HRC by persons alleging a variety of problems in their jobs with City departments (the Civil Service System). Two hundred and three of these cases were processed by the HRC in 1975. The trends of these complaints were: class actions (several persons usually in the same Civil Service job classification) and/or in-service problems (people in the CSC having problems as opposed to persons outside trying to get work).

In contract compliance/affirmative action work with City contractors, an HRC affirmative action officer does conduct investigations on individual complaints (eight in 1975 settled; one resulting in a hearing with a ruling against the complainant). This staff also initiates complaints against City (with the City's Nondiscrimination Ordinance) contractors for noncompliance, and handles other routine employment complaints.

The cases reported numerically do not include the countless requests for information, or for copies of reports or statistical material the HRC can provide, or telephone or walk-in inquiries---all requiring staff time---that occur in any public agency.

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With the widening of the HRC's discrimination category responsibility to include sex, sexual orientation, and physical disability, the numbers of those kinds of complaint cases coming in are on the increase.

The breakdown by category of the HRC's complaints caseload for 1975:

Employment	320
Housing	182
Education/Community Liaison	165
Other	186
Total	853

- Commissioner Fine noted that it was ironic that the HRC complaints caseload increases so substantially in light of the fact that some two years ago the HRC was denied permission by the Board of Supervisors to accept a financial grant from the San Francisco Foundation to operate a one-year pilot ombudsman program.

- Commissioner Lyon suggested that the HRC establish an advisory body, such as Friends of the HRC, as other agencies have done, to be able to accept grants such as was offered by the San Francisco Foundation.

- It was pointed out by Jack Casford, in subsequent discussion on what the HRC can do and what it cannot in trying to deal with personal complaints, that referral is made whenever possible to agencies that have some specific jurisdiction, but that the HRC shares with the Fair Employment Practices Commission, the Equal Employment Opportunity Commission, and the Neighborhood Legal Assistance Foundation the heavy obligations that come from being the few agencies that take the same kinds of complaints.

- Commissioner del Portillo described the difficulties of trying to provide various City communities with information on how their problems can be resolved, given the limited number of resource agencies. Commissioner Sing concurred in the frustrations of the HRC's trying to meet these increasing needs.

- It was pointed out that staff tries to explain to many clients that the HRC, while not an individual complaint caseload agency by mandate, does work to try to affect public and private policy in employment, in housing, and in education that will have a widening effect on the human rights and welfare of large numbers of people, e.g., its work with a coalition on the City ordinance forbidding didscrimination in housing against families with children.

- Director Mickins, commenting following discussion about how to enhance what means for meeting community needs that now exist, and how to get the City to take a more positive step such as adoption of a formal Affirmative Action Plan, etc., said that the City (the Civil Service System) presently does not have such a plan, but does have an Affirmative Action Policy Statement. Director Mickins did meet with the Mayor and Civil Service General Manager Bernard Orsi and Mr. Orsi was asked by the Mayor to start working with the HRC to develop an affirmative action plan. It was agreed that there would be a survey of the City's workforce based on the master payroll which will be completed at the end of April. The HRC has for a number of years done an ethnic breakdown of the City's workforce, a function now taken over by the Civil Service Commission. With this report as a resource, it has been suggested that a policy committee, be set up with the Mayor or his designee as chairperson, and the HRC and the heads of all major City departments as members. This committee could develop an affirmative action program for each department.

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- Chairperson Mezey announced that the May 3rd meeting of the HRC Administrative Committee (made up of the chairpersons of each of the Standing Committees) will be charged with considering the suggestions of this discussion on the drafting of a long-range HRC program of objectives and priorities. Vice-Chairperson Yamakawa is chairperson of the Administrative Committee. Commissioner Herring was asked to attend this meeting as well. Commissioner del Portillo asked that this subject be on the agenda for the next HRC meeting of May 13th.

GAY ADVISORY COMMITTEE - YOUTH AND EDUCATION COMMITTEE

Chairperson Phyllis Lyon, Dan Silva - Chairperson Sister Giles, Co-Chairperson William Wesley, Enola Maxwell

- Before the Committee Report, Commission Fine reported that the Gay Advisory and Employment Committees will meet, at HRC direction, to consider Assembly Bill 3124 (which would change and expand the powers of the Fair Employment Practices Commission). The two Committees are in informal agreement, he said, on all but one of the provisions of the proposed State measure: the Gay Advisory Committee wants not to support AB 3124 unless it includes specifically sexual orientation as an FEPC obligation. These two committees will next meet jointly May 6th at 9:30 a.m.

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Mr. Mickins reported that the Mayor's Office had submitted an HRC budget with no new staff positions, and with a funding increase of $42,339, representing mandatory incremental increases. Two typewriters would be provided. It was stressed that the Finance Committee has yet to release its recommendations on departmental budget. The Board of Supervisors' public hearing on budget proposals is set for April 27th.

- At this point Chairperson Mezey asked to be excused and Vice-Chairperson Yamakawa took the gavel.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, May 13, 1976 at 9:15 a.m. in the Commission Room of the Main Library in the Civic Center.

-more-

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ADJOURNMENT

Respectfully submitted,

Grant S. Mickins, III
via
Jack Casford

GSM:JC:pa
4:29:76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of May 27, 1976

NEXT MEETING:	June 10, 1976
	Thursday
	9:15 a.m.
Commission Room, Third Floor	
Main Library, Civic Center	

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Carlota del Portillo, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing, William Wesley, David K. Yamakawa, Jr.

Excused: Vernon Alley, Rabbi Alvin I. Fine

Staff

Present: Grant S. Mickins III, Jack Casford, Med Claveria, Jo Daly, Carole Ellison, Jesse Martinez, Marilyn Morris, David Prowler, Wayne Redus, Gail Roberts

Pledge of Allegiance

Minutes of May 13, 1976 approved with one correction: They should have stated that the Minutes of April 22, 1976 were approved at that meeting, not those of May 13th.

COMMUNICATIONS

- From Martin Kaplan, Employment Manager, of The Pacific Telephone and Telegraph Company, a letter of resignation from the Employment Committee.

- From Joan Dillon, President, Local 400, Civil Service Association, Service Employees International Union, AFL-CIO, asking HRC support for the union position on the recruitment of a new City Librarian.

- From Hank Wilson, Gay Teachers Coalition, requesting that each Standing Committee of the HRC include a gay representative. The letter and request were referred to the Administrative Committee.

- From Mayor George Moscone, a Memorandum to All Department Heads, expressing his appreciation to them and their employees for their continuation at their jobs and their extra efforts to serve the public during the recent strike by City craft union employees.

- From James E. Burns, Director, Commission on Human Relations, City of Chicago, requesting information on the HRC's research and recommendations on school suspensions. Mr. Burns referred to the HRC's May 13, 1976 staff report on School Leavers (the term used by the San Francisco Unified School District) in the SFUSD in the 1974-1975 School Year , compiled by Pam Lee of the HRC staff.

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- To Dr. Yvette del Prado, Assistant Superintendent, Instructional Support Services, SFUSD, notice that the HRC on May 13th formally supported the proposed health education workshop for high school principals, assistant principals, and counselors.

- From Jack Olsen, Californians for Community Colleges, a mailer urging support for Proposition 4, which would provide $150 million in State funds for Community College construction.

COMMITTEES

ADMINISTRATIVE
David Yamakawa, Chairperson

- Motion to Adopt Proposed Policy Governing Public Disclosure of Affirmative Action Information.

This action was continued from the HRC meeting of May 13th, when the Director and members of the Administrative Committee were requested to meet with Ms. Prudence Poppink, an attorney forthe Employm ent Law Center, to review the draft of this policy statement for consideration of a recommendation in final form at this HRC meeting (May 27th).

Commissioner Yamakawa acknowledged with thanks the contributions of Ms. Poppink in the preparation of the final recommendation policy statement. It was pointed out that a schedule of costs (for providing the public copies of the documents as defined in the policy statement) will be attached after July 1, 1976, the effective date of the policy.

There was Commissioner discussion on the availability of staff time to search for documents requested, and on the procedure and cost factor (postage, production) for providing copies of lists of contractors and lists of finalized documents on file with the HRC.

With the agreement by the Commissioners that the HRC Minutes in the future will have attached a schedule of fees for providing copies of finalized documents, it was

*****m/s/c that the HRC adopt the Policy Governing Public Disclosure of Affirmative Action Information. The full text of this Policy is attached to these Minutes.

- Motion to amend the HRC Rules and Regulations, Rule 5, Voting Requirements and Procedures, by adding a third paragraph to read: "Except that each member present at a meeting of such Commission when a question is put shall vote for or against it unless he is excused from voting by a motion adopted by a majority of the members present."

This was the second reading for this proposed amendment. On motion of Commissioner Lyon, the words "the members" were substituted for "he" in the above proposed amendment, and it was then

*****m/s/c that Rule 5 be amended by adding a third paragraph to read: "Except that each member present at a meeting of such Commission when a question is put shall vote for or against it unless the member is excused from voting by a motion adopted by a majority of the members present."

- Regarding the HRC's action May 13th amending its Rules of Procedure (in Affirmative Action), Section VI, Appeal Hearing, b. Who Shall Conduct Appeal Hearing, to read: "An appeal hearing shall be conducted by not less than a majority of Commissioners serving." rather than "...by not less than eight Commissioners." and a companion action amending Section VI, e. Procedure in Appeal Hearing, (7) to read: "The Commissioner shall hear evidence and arguments and then affirm, reverse, or modify the finding by the agreement of a majority of the Commissioners serving" rather than "...by agreement of not less than eight of their numbers.", noting that the HRC's enabling Ordinance specifies "a majority of Commissioners serving" and that the Ordinance must be changed by action of the Board of Supervisors, it was

*****m/s/c that the HRC rescind its amending actions of May 13th.

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HOUSING AND URBAN DEVELOPMENT

Tony Grafilo, Chairperson
Enola Maxwell, Co-Chairperson

- Proposed Resolution on Proposition 15, the Nuclear Power Plants Initiative appearing on the June 8, 1976 California ballot.

Commissioner Grafilo was asked to state why the Committee felt the HRC had jurisdiction on this issue. (Chairperson Mezey asked all Commissioners to keep as reference the HRC's enabling Ordinances which define its jurisdiction in considering and making recommendations on any issue.)

Commissioner Grafilo stated that the Committee felt that the Nuclear Initiative addresses the future of the community and basic human rights as affected by the supply of energy, and that decisions of this nature should be made by the general public, rather than just by politicians. The Committee also felt the general public should have more information about the Initiative.

A proposed Resolution from the Committee, along with material from proponents and opponents of the Nuclear Initiative, had been provided in advance of this meeting to all Commissioners. Its recommendations were:

1. That the HRC support the intent of the Nuclear Power Plants Initiative, and

2. That the HRC urge the Board of Supervisors to conduct public hearings on the matter.

Director Mickins stated that the HRC had been requested to take a position on the Initiative by two groups favoring its passage and he had referred their requests to the Housing and Urban Development Committee for its consideration. The Committee heard from both proponents and opponents, decided that the issue was within the jurisdiction of the HRC, and then drafted the proposed Resolution.

*****Commissioner Morrissey moved that the recommended Resolution be tabled, on the grounds that it was a matter beyond the purview, the scope of expertise, and the charge of the HRC, and that other forums exist before which the public have an opportunity to debate the issue. This motion was defeated 9 to 2.

Commissioner Giles questioned why the proposed Resolution from the Committee did not call for support of or opposition to Proposition 15 (without naming it Proposition 15 but rather the Nuclear Safeguards Initiative) but called for support of the "intent" of the Initiative.

David Prowler, HRC staff to the Committee, said the proposed Committee Resolution is based on a resolution adopted by the City Planning Commission. He announced also that the Board of Supervisors has scheduled public hearings on Proposition 15 beginning May 28th.

Commissioner Yamakawa proposed a substitute resolution, "That the HRC recognizes that the Nuclear Safeguards Initiative is an important issue on the June 8th ballot and therefore commends the Board of Supervisors for conducting public hearings on this matter." The motion was seconded by Commissioner Morrissey.

It was recognized that there were speakers supporting and opposing Proposition 15 wishing to address the HRC.

Presentations were made by Walter Hayes, of Yes on 15, and Emory Curtis, of No on 15. Each speaker asked that the HRC take a position for or against the Initiative, and not act only on the "intent" of it.

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Ensuing discussion including comments from Commissioners del Portillo (that her community was split on the issue and wanted more information), Sing (that the HRC had an obligation as a public agency to take a stand on the issue), and Wesley (that the HRC should take a position).

Commissioner Yamakawa stated that he felt that the HRC was not in a position to be "judge everything which is of human interest," and that he was not sure that the HRC was expert enough in this field to take a position.

Commissioner Silva stated that he felt that the HRC had to take a position on the issue. His statement was concurred in by Commissioners Herring and Maxwell.

On motion of Commissioner Sing, it was

*****m/s/c that the recommended Resolution be re-worded to read: "that the Human Rights Commission supports Proposition 15, the Nuclear Safeguards Initiative."

On motion of Commissioner Wesley, it was

*****m/s/c that the recommended Resolution be re-worded to read: "that the Human Rights Commission commends the San Francisco Board of Supervisors for conducting public hearings on this matter."

Commissioner Morrissey reviewed his background as an attorney for the Department of Defense, as counsel for the Military Liaison Committee and the Research and Development Board. He cited his involvement, as counsel for Pacific Gas & Electric Company, with the information that relates to nuclear power. He said that the PG&E California nuclear plant built some 13 years ago has "the most remarkable record of safety that has ever occurred in any industry". He said that PG&E has invested more than a billion dollars in nuclear power plants, and the State more than 2 1/2 billion dollars. He said if Proposition 15 passes, the "2 1/2 billion dollars is going to be paid for by somebody, and it isn't going to be the utility stockholders; the people who are going to have to pay it are going to have to be the customers, or the taxpayers--there's no other place it can be paid for." He read a 9-point resolution adopted by the Department of Public Issues of the Episcopal Diocese summarizing his point of view and urging the defeat of Proposition 15.

Commissioner Morrissey offered a substitute resolution that the HRC vote to oppose Proposition 15 and "in favor of nuclear power plants." He read his proposed resolution in full and distributed copies to the Commissioners.

Chairperson Mezey ruled that the HRC would vote first on the proposed Resolution from the Housing and Urban Development Committee as re-worded, and then, if it were defeated,would vote on the substitute resolution offered by Commissioner Morrissey.

*****It was m/s/c to close debate.

*****The motion to support Proposition 15 was defeated 6 to 5.

*****The motion to oppose Proposition 15 was defeated 7 to 4.

*****The HRC therefore took no position on Proposition 15.

- Commissioner Sing noted that individual members of the HRC could take positions.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- HRC Alcoholism Prevention Peer-Counseling Project: Marilyn Morris, Project Supervisor

The Alcoholism Prevention Among Adolescents Through Peer Counseling Project began November 13, 1974, funded through the Bureau of Alcoholism, San Francisco Department of Public Health, under provisions of Senate Bill 204

for approximately $6,800. The level of funding for the 1975-1976 fiscal year was $7,400. This provided for a half-time Specialist I and four high school students, working as health aides 10 hours per week. One health aide position was provided by the San Francisco Unified School District Neighborhood Youth Corp program for a total of five student health aides. The health aides worked within their schools: Lowell, Mission, and Woodrow Wilson High Schools and San Francisco State University. The project began later than anticipated for 1975-1976 because the San Francisco Board of Supervisors did not approve the release of project funds until November 12, 1975. Despite this, the project staff reformed their duties throughout the school year.

Staff has an ongoing working relationship with other alcoholism youth prevention programs, such as SPARC (Sunset Parkside Alcoholism Resource Committee) to broaden their knowledge and learn from each others' experiences, Staff meets monthly at the Bureau of Alcoholism, forming the Educational Task Force Committee. The Educational Task Force is working to develop an instrument to test the effectiveness of the education, information and referral programs. This instrument probably will be put into use for the 1976-1977 fiscal year.

Staff has contacted 4,460 young people thus far in efforts to educate and stop alcohol abuse. Some of the means used have included: 1. creation of a youth newsletter: the "Bad" Newsletter, which carries continuous articles on alcoholism information. It is distributed to all the secondary schools and youth-serving organizations in San Francisco: 2. one-to-one and small group contacts; 3. classroom presentations; 4. community organization presentations; and 5. passing out and posting information.

Staff currently is developing a summer program. The Bureau of Alcoholism budget does not include funds to operate during the summer. The Mayor's Summer Youth Program has funded the project during July and August in the past. Staff is again seeking these funds.

The Bureau of Alcoholism has announced refunding of this project for the 1976-1977 fiscal year with the number of hours for the project supervisor doubled. The other budget items were refunded at approximately the same dollar amount. It is anticipated that the project will resume its operation through the Bureau of Alcoholism in September.

Ms. Morris introduced Carlton Crump and Jamie Williams, who are student health aides. She recommended that they assume direction of the project, since she is leaving the staff after four years of service.

It was

*****m/s/c that the HRC express its deep gratitude and good wishes to Ms. Morris for her invaluable contributions as the energetic director of the Alcoholism Project, and that its action be sent to her formally in a letter.

POLICE LIAISON
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- Committee Support of the Concept of the White Panther Party (WPP) in Seeking to Find the Truth in the Matter of the Incident (between members of the party and the San Francisco Police Department) of July 12, 1974.

Commissioner Morrissey left the HRC meeting before this agenda item came up. Commissioner Herring asked Jesse Martinez, HRC staff to the Committee, to introduce the issue. Material had been provided the Commissioners in advance, including a three-page Xerox copy of a statement/petition entitled "The System Has Gone Too Far This Time" from the White Panther Party with an eight-point summation, calling on public officials to, initially, "verify the events (the July 12, 1974 incident) cited, and determine that they are not exaggerations or misstatements."

Commissioner Yamakawa formally made the motion as proposed by the Committee: that the HRC support the concept of the White Panther Party in seeking the truth in the matter of the incident (of July 12, 1974) described in its document "The System Has Gone Too Far This Time."

Chairperson Mezey thanked the members of the audience interested in this agenda item for their patience in waiting while the HRC debated other matters.

Ron Lambert, of the White Panther Party, reported that the WPP met in February with the Police Liaison Committee regarding three issues of concern, and commended the Committee as being "particularly instrumental in arranging meetings with various members of the Police Department over particular problems with police procedure" on two of those issues.

The document "The System Has Gone Too Far This Time" first paragraph was read as a description of the White Panther Party: "..a political organization whose program is to make it possible for people to make a living serving the urgent needs of their communities directly, independent of domination by bureaucrats or profiteers."

Mr. Lambert said the WPP was asking the HRC to "support the effort to gain an independent citizens investigation of the conflict between the White Panther Party and the Police Department, the surrounding facts of the July 12, 1974 incident, such an investigation to result in a report and recommendations for action as a basis for resolving a community conflict in San Francisco."

Mr. Lambert said the WPP petition so far had gathered 15,000 signatures.

He introduced four persons who made statements on the issue and its request for HRC action: Jean McClain, a member of the administrative staff of the Art Commission; Janet Rosen, of the San Francisco Common Operating Warehouse, on whose behalf she read a statement of support; Larry Weissman, a member of the WPP (but a witness, while not a member, to the July 12, 1974 incident); and Miranda Nelson, whose arrest (and release) on July 11, 1974 was a factor in the incident of July 12, 1974.

Mr. Lambert read the names of a number of community persons who have either signed the petition of the WPP or written their support. The names are printed in the May 15, 1976 issue Witness, a San Francisco community newspaper.

Mr. Lambert then reiterated the request of the WPP to the HRC calling for an independent citizens investigation of the July 12, 1974 incident.

He said they also were requesting the HRC to deal with conflicts between government and citizens.

There followed long discussion, with contributions from many of the Commissioners.

Commissioner Silva called for the HRC to take a stand on the issue, on the basis of his personal investigation of it, his contact with the Chief of Police and Police Commission, a community forum in the Mission District on police brutality, etc. He said the HRC should insist on public hearings.

Commissioner del Portillo answered Commissioner Lyon's inquiry as to how such investigation would be carried out by saying that drawing up the mechanics of procedure could be held to a later time.

Chairperson Mezey asked to be on record as favoring Committee recommendations to the HRC for it to take positions, but not to recommend support of a "concept," only.

Commissioner Herring stated his support of the HRC taking favorable action on the WPP request, as an impartial body that could conduct such an investigation best.

Director Mickins noted that the HRC's Ordinance 209-64 Section 12A.5 Powers and Duties (a) spells out its power to "study, investigate, mediate

and hold public hearings on community-wide problems arising in this City and County..." but that Section 12A.5 (f) reads "Subject to the approval of the Mayor of the Chief Administrative Officer" in order to investigate another City department.

Commissioner Silva moved that the HRC write the Mayor requesting his approval for the Human Rights Commission to independently investigate the incident of July 12, 1974.

Commissioner Yamakawa re-worded the motion to read: That the HRC would seek the approval of the Mayor in the conduct of an independent investigation (of the incident of July 12, 1974), and to request the cooperation of the Police Commission and all services and facilities necessary for the purpose of furthering our investigation.

Commissioner Sing inquired of the Director what was the capability and availability of staff to make this investigation, and, if they undertook it, what other staff work would have to be dropped,as well as how much time it would take.

Director Mickins said the motion on the floor had not been originally requested at the Committee level, and that therefore such an investigation would be an added burden to the present workload of staff and that he had of course not been able to make any provisions for the addition of such a charge.

It was

*****m/s/c that the substitute motion of Commissioner Yamakawa be accepted, and
*****m/s/c that the HRC seek the approval of the Mayor in the conduct of an independent investigation (of the incident of July 12, 1974, involving the White Panther Party and the San Francisco Police Department), and that it request the cooperation of the Police Commission and all information services, and facilities necessary for the purpose of furthering that investigation.

It was pointed out by Commissioners Yamakawa and Maxwell that staff assistance could be obtained from other agencies under Section 12A.5 (f).

Mr. Lambert expressed the thanks of his organization, saying, "Finally, after two years, a City agency has taken a firm step for human rights."

- Chairperson Mezey postponed to the next HRC meeting a report on the meeting of Commissioners on May 21st.

Commissioner Wesley commented that he would anticipate that the HRC would be receiving requests involving incidents similar to that of the White Panther Party in the future.

Commissioner Grafilo stated the HRC is more an "intervention" body rather than a "prevention" body. He said he foresaw that the HRC could end up with literally scores of issues, and instead of being able to come up with solid solutions, it would possibly come up with "rubber-stamping" issues without any action. He called on the HRC to "order itself."

Commissioners Silva and Lyon made statements to the effect that a response from a City agency to these kinds of community concerns might be the first time such a resource has spoken, to set a kind of precedent.

Commissioner Herring said that if the HRC does carry out this investigation, it has to not overtax its resources and not "call everyone to us who has a problem." He said the HRC will not be able to take on all the problems of this nature that exist, but that if effective in helping resolve one, it would have a positive effect on others. He said it may be difficult for individual Commissioners to tell their communities that the HRC cannot take on more cases, (as it has the White Panther Party issue), but its work on the one case may have an impact on a whole problem.

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Commissioner Yamakawa said that if the HRC becomes the investigation body in this issue, it should be thinking about what would be an appropriate permanent mechanism to deal with this kind of situation.

- Chairperson Mezey asked Director Mickins to make an appointment with the Mayor to discuss its action and request.

- Postponed until the HRC meeting of June 10th were the following items scheduled on this agenda:

Detailed Recommendation of Task Force on Suspensions, and Outcome of City College Curriculum Committee on Changing ESL Graduation Requirements, both items from the Youth & Education Committee; and the HRC Semi-Annual Report on Affirmative Action in the Hotel Industry, from the Employment Committee.

DIRECTOR'S REMARKS

Director Mickins reported the action of the HRC on two other issues brought to it by the White Panther Party: (1) The right of police to arrest without warrant for probable cause at their own discretion. Jesse Martinez met with the Mayor and with the Chief of Police as an observer to the Police Commission.and (2) The right to have witnesses present when the Police are making an arrest. The HRC has been instrumental in getting the Chief of Police and Police Commission to consider adopting new guidelines that would permit an arrested person to request witnesses to the action. The City of Berkeley currently has this procedure, Mr. Mickins said.

NO NEW MATTERS

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, June 10, 1976, at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, June 3, 1976 9:30 a.m. Cathedral House Library Grace Cathedral - 1051 Taylor St. S.F.
Youth & Education	Thursday June 3, 1976 3:30 p.m. Thursday June 17, 1976 3:30 p.m. Cathedral House Library - Grace Cathedral
Police Liaison	Wednesday, June 2, 1976 4 p.m. Wednesday, June 16, 1976 HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, June 15, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, June 1, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins. III
via Jack Casford

GSM:JC:pa

Attachment

HUMAN RIGHTS COMMISSION

Policy Governing Public Disclosure
of Affirmative Action Information

I. Policy

It is hereby declared to be the Commission's policy to provide full disclosure to the public of finalized documents generated pursuant to the non-discrimination and affirmative action provisions contained in the San Francisco Administrative Code, Sections 12A and 12B.

II. Finalized Documents

"Finalized documents," as used herein, are all approved non- discrimination and equal employment opportunity agreements, all approved affirmative action programs -- including updated goals and timetables -- and official contract compliance and monitoring reports.

III. Availability of Documents

A. Upon the request of any person for documents as generated or described above, such documents shall be made available for inspection and copying. The Commission shall take steps to insure that community agencies actively involved in manpower development and/or affirmative action are made aware of the Commission's policy and the availability of such documents.

B. Every six months the Commission shall make available to the public an updated and current list of all contractors, subcontractors, suppliers and all finalized documents on file with the Commission and subject to 12A and 12B of the Administrative Code. This list shall be made available by way of attachment to the minutes of a regular meeting of the Commission for said period. A copy of this list will be mailed to individuals upon request.

C. Every month the Commission will attach to the minutes of one of its regular meetings a list of all new finalized documents received during the preceding month.

IV. Inspection and Copying

A. Inspection of said documents shall be permitted at all times within normal business hours; however, advance notice is recommended to facilitate the request.

B. All requests for copies of finalized documents described above in Section II shall be directed in writing to the Director, Human Rights Commission.

C. Copies of said documents shall be provided at cost. A schedule of costs will be attached to this policy by the Director for interested parties.

D. Copies of said documents shall be made available within ten working days of the receipt of the request.

Adopted by HRC 5/27/76
Effective 7/1/76.

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of June 10, 1976

DOCUMENTS
PUBLIC LIBRARY

NEXT MEETING:	June 24, 1976
	Thursday
	6 P.M.
	Commission Room, Third Floor
	Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Carlota del Portillo, Rabbi Alvin Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing, William Wesley, David K. Yamakawa, Jr.

Excused: Vernon Alley, Sylvester Herring, Phyllis Lyon

Staff

Present: Grant S. Mickins III, Sautaute Anoai, Frank Anderson, Carlos Carillo, Jack Casford, Jo Daly, Carole Ellison, Alberta Grant, Larry Griffin, Carolyn Hom, Pam Lee, Jesse Martinez, Marilyn Morris, Wayne Redus, Gail Roberts, Emmet Rosebrough, Doug Yamamoto

Pledge of Allegiance

Minutes of May 27, 1976 approved.

COMMUNICATIONS

- From Prudence Kay Poppink, Employment Law Center Attorney, regarding meeting with the HRC to discuss proposed legislation imposing a residency hiring requirment on all successful bidders for public works contracts in San Francisco. Director Mickins said for some months the HRC has been meeting regarding enforcement of Section 98 of the City Charter which requires that the Public Works Department oversee that mechanics who work on public jobs are City residents. Ms. Poppink, attorney for the plaintiff in a lawsuit (Nelson vs. City & County of San Francisco), has been directed by the Superior Court to work out a solution with the HRC before there is a Court ruling.

- From Eustacio Ramirez, Coordinator, Mission Service Center, encouraging the HRC staff to continue working to increase the number of Spanish-speaking people in finding jobs in public and private employment and praising the work of Luis Escobar, of the HRC Civil Service Recruiter's staff, for his effective service in this capacity.

- From representatives of four community-based affirmative action agencies (American Indian Center, Swords to Plowshares, Chinese for Affirmative Action, Mission Hiring Hall), regarding meetings of May 18th and May 25th at the HRC to discuss a Position Paper presented May 6th to the HRC Employment Committee, and stating their reasons for refusal to meet May 25th (which Director Mickins could not attend) because "...HRC's contribution to the community demands attention from administration, and not from staff."

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- From Morris E. Phillips, Area Director, San Francisco Redevelopment Agency, regarding the agency's concerns over a charge of reverse discrimination brought against a contractor while performing work in the Hunters Point Redevelopment Project, and requesting HRC support in making these concerns known to the Carpenters' 46 Counties Conference Board. Mr. Phillips expressed the feeling of the Redevelopment Agency that "these charges of reverse discrimination are an indirect challenge to the San Francisco Plan"administered through the HRC. Attached was a Memorandum of Agreement signed November 25, 1970, by the Associated General Contractors of California, Inc., the San Francisco Building and Construction Trades Council, AFL*-CIO, and Bayview-Hunters Point Model Neighborhood Agency.

Director Mickins said he had met once with Redevelopment Agency representatives on this issue. There are concerns that the Memorandum of Agreement (which the HRC was instrumental in having drawn up and adopted) may be adversely affected by the charges and an arbitration/ mediation decision upcoming.

- Commissioner Morrissey suggested that in the interests of time and efficiency summaries of correspondence be sent in advance of regular meetings to the Commissioners in lieu of reading the correspondence in full at the regular meetings.

There were various reactions pro and con on this suggestion among Commissioners.

****It was decided, on Chairperson Mezey's suggestion, that the Director be asked, at his discretion, to provide a listing of the correspondence in advance of the regular HRC meeting, in order that Commissioners might ask for a full reading of correspondence that particularly interests them.

SPECIAL CALENDAR MATTER

Mayor George Moscone will address the Human Rights Commission at its regular meeting of July 8th, Thursday, at 9:30 a.m. in the Commission Room on the Third Floor of the Main Library. The Mayor will present his priority suggestions and solicit those of the members of the HRC.

SPECIAL ORDER-DIRECTOR'S REMARKS

It was

****m/s/c that the HRC take out of Agenda order the discussion by the Director of Serious Budget Constraints in the 1976-1977 Budget (the title of the working paper mailed in advance to the HRC, from which Mr. Mickins spoke).

On May 25, the Board of Supervisors voted a final buget for the HRC. A clerical position previously frozen during 1975 was deleted, reducing HRC's permanent professional and clerical support staff from 14 to 13. It was with some considerable effort that we succeeded in having re-funded one of HRC's previously frozen representative positions. No new positions were granted. Therefore, HRC staff remains numerically the same, but is minus one position.

Total Budget

The total HRC approved budget is as follows:

1976-77	1975-76	Increase
$325,525	$288,512	+ $37,013*

* Explanation of the $37,013 increase:

The above increase in the total budget should not be misinterpreted.

$ 15,000	Re-funding of an existing HRC representative position deleted by clerical error in the 1975-76
420	Typewriter granted to replace two rentals no longer allowed
1,300	Increase in postage rates
$16,720	Sub Total

The balance of $20,293 represents cost of living increments and mandatory fringe benefits.

The foregoing clearly indicates that HRC merely maintained its status of the prior year. The following line items reveal reductions and deletions from HRC contractual services:

	Mayor's Recommended	Expended 1975-76	1976-77 Operating Budget
1) Travel	$ 600	$ 454	-0-
2) Maintenance and repair of office equipment	500	960	400
3) Telephone	8,000	8,350	6,000
4) Subscriptions	415	422	300
5) Use of employee cars	1,000	1,100	900
6) Stationery and office supplies	5,000	6.000	4,000
7) Other materials and supplies (water, etc.)	500	400	-0-
8) Electric typewriters	1,206	800	420
9) Membership dues	125	125	-0-

The results of the foregoing reductions present the HRC with a fiscal operational trauma.

The foregoing are serious problems which require adjustments within two weeks in order to conform to the fiscal restraints.

1) Travel: There can be no travel outside of San Francisco, and HRC is no longer a member of either the state or international association of HRC's. This means no publication or dissemination of current affirmative action information via these agencies..

2) Maintenance and repair of office equipment: This item means that if any typewriters, mimeographs, addressographs break down during the next 12 months, the chances are two to one that no repairs will be available.

3) Telephone: Within ten days at least ten phones will be removed from HRC--at least two lines and/or the intercom line. Further savings are being researched.

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4) Subscriptions: No serious problem anticipated.

5) Employee cars: Local travel will be curtailed to absolutely essential activities.

6) Stationery and office supplies: This is a most acute deficit. It is not possible to continue a mass distribution of minutes to over 600 organizations and individuals within this budget.

7) Other materials and supplies: This is primarily a water cooler, the only pure drinking water in the office. The service contract will be determinated at the end of the month.

8) Electric typewriter: See prior explanation.

9) Membership dues: Removes HRC membership in both state and national E.E.O. agencies.

The foregoing information is submitted at this time in order that the Commission can understand the internal problems better and plan to schedule some time to spend with staff in meetings to discuss priorities. In view of the increased demands by community agencies and groups, it is imperative that the allocation of staff time and the planning for programs be done by the Commission as a whole.

There was Commissioner reaction to Director Mickins' discussion of the budget constraints of the HRC.

- Commissioner Morrissey suggested that persons receiving the Minutes of the HRC be asked, by subscription, to pay for the mailing. It was suggested also that the mailing list of the Minutes be reduced considerably.

The Director pointed out that the Minutes are the best means by which the HRC communicates with the public about its work, and that they are among the most complete of any City agency. Commissioner del Portillo asked if a small outside financing grant might be sought on this problem.

It was announced that the HRC is having ten office telephones and one intercom line removed in order to save money. Strict control over all telephone usage by staff is maintained by the HRC Office Manager/Accountant.

****Commissioner Silva made a strong recommendation that the Commissioners direct their energies to seeking outside private funding for just such budget crises as this one. Chairperson Mezey said that outside funding sources would be loath to help a City agency maintain operating expenses, however.

- Chairperson Mezey asked the Administrative Committee chairperson to consider reinstating a Standing Committee on the Budget.

COMMITTEES
Youth and Education
Sister Bernadette Giles, Chairperson
William Wesley, CO-Chairperson

- Detailed Recommendations of Proposed HRC Task Force on Suspensions- Commissioner Wesley.

The HRC in April 8th had referred back to the Committee, for further specificity, the recommendation that there be established an HRC Task Force on Suspensions.

On May 20th, the Committee proposed seven specific objectives for the proposed Task Force:

1. investigate reasons for disruptive behavior;

2. propose alternatives to suspensions;

3. evaluate suspensions, in terms of effectiveness inchanging behavior for the student suspended and for the teacher or administrator suspending by the use of questionnaires to those involved;

4. advocate grievance procedures at the school site level;

5. identify certificated staff who are especially effective in working with students;

6. reactivate a City-wide youth council; and

7. disseminate widely the findings and recommendations of the Task Force.

The Youth and Education Committee further proposed that the Task Force be broadly-based, reflecting many of the same groups represented on the Youth and Education Committee: Bayview-Hunters Point Education Committee, Chinese for Affirmative Action, ENERGY, Filipino Advisory Board for Education, Gay community, Horizons Unlimited, Japanese-American Citizens League, Jewish Community Relations Council, Junior League, League of Women Voters, NAACP, PTA, Recreation & Park Department,Schoool Volunteers, Sunset-Parkside Education & Action Committee, Student Attendance Review Board, teacher organization, Unified School District, and the YWCA.

Commissioner Wesley said he personally felt that the second objective as listed above was the most important one.

To Commissioner Wesley's inquiry about possible duplication by this proposed Task Force of the Public Schools Commission, chaired by William Matson Roth, currently studying the San Francisco Unified School District, Commissioners Giles and del Portillo reported that it has not gone into such matters as suspensions in depth, and that the Committee recommendations were intended to expand investigation into this serious problem.

The HRC's Youth & Education staff would coordinate setting up the proposed Task Force for the broad representation noted above. A representative of the School District has already praised the HRC Report on Suspensions.

After further expressions by Commissioners Sing and Yamakawa about following through on implementation of such a Task Force, it was

****m/s/c that the Human Rights Commission recommend to the San Francisco Board of Education the creation of a Task Force on Suspensions (as outlined in the Memorandum of the Youth & Education Committee to the HRC dated June 4, 1976, on the same subject and including the recommendation that the Task Force be broadly-based reflecting many of the groups listed in the Memorandum), and requesting a reply within a reasonable time (as designated by the Director or Chairperson of the HRC) whether it intends to do so, in order for the HRC to act on it if the School District does not.

- Commissioner Giles asked that her No vote on this measure be recorded.

- Commissioner Sing asked that all organizations suggested for membership on the Task Force be asked to send letters urging its establishment to to the SFUSD.

- Chairperson Mezey said she hoped this would be carried to the Board by an HRC Commissioner as an agenda item.

- Evaluation of Students Rights and Responsibilities Manual by Michael Milani, San Francisco State University Intern to the HRC: Acceptance of Report by HRC - Commissioner Giles.

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The report was conducted by Mr. Milani during the Spring of 1976. Every secondary public school in the District was contacted. At each school questionaries to be completed and returned anonymously were distributed to sample groups of teachers and students. The administration was interviewed at each site.

Mr. Milani reported that five of the twenty-nine schools do not have a site appeals board. Only at four of the schools that responded can students really be said to be knowledgeable of the Students Rights and Responsibilities Manual. The rest of the schools fall into two categories; those where students know nothing or nearly nothing of the manual and their rights, and those where only a part of the students have any knowledge of the material. There is no system-wide program for educating students as to their rights. Typically, the the material is, as most principals put it, included in "some" or "a few" classes.

District-wide, there have been three appeals this school year that resulted in a meeting of an appeals board (not counting Opportunity II High, whose procedure is different). Many schools have developed a number of other avenues for resolving grievances, but the widespread lack of knowledge about the appeals procedure raises the question of whether students just don't know about the board (where it even exists) or the other avenues are sufficient. If a student knows nothing of his right of appeal, he must make do with some other approach to his problem that he or the school may very well find less satisfactory, thus depriving him of due process, while generating alienation and frustration.

Teachers contacted in the course of the survey expressed a lot of concern over the evaluation's lack of emphasis on students' responsibilities. Mr. Milani conveyed to them his experience that students are usually told about what is expected of them from day one. Our concern was with how little they are told about what they can expect in return.

There is a feeling throughout the district that times have changed and students no longer care about rights; that they are only interested in getting an education. While there may be a certain amount of truth in this, though not a great deal, it is alarming that the feeling has been translated into the following types of attitudes.

1. "We teachers know what the students' rights are, and we will take care of them. Students don't need to know about them."

2. "Now we can concentrate on education and don't have to worry about students' rights."

3. "Only 'bad' students care about their rights."

The amount of teacher objection to the student's right to respect is surprising. Teachers throughout the city have stated, both directly and indirectly, that they feel a student isn't automatically due respect as a right or as matter of principle, but that each one must earn that respect. Is it reasonable to require a seventh or eighth grader, at 12 or 13 years of age, to have to prove a teacher that he's worthy of respect?

Finally, teachers and students in nearly every school have commented adversely on the facilities. They have complained of unsafe buildings, unsanitary bathrooms, or bathrooms locked to avoid having to clean them, broken windows and other damage that takes long periods of time to have repaired. The amount of concern expressed over such matters is surprising, persisting as it does through the entire evaluation, and all of it elicited by a one-line question on a five-page questionnaire.

Mr. Milani's recommendations are as follows:

1. The development of a curriculum guide for use by teachers instructing students regarding their rights. It should contain clarifications of meanings, examples, and rationale. This would accomplish a number of purposes. First,

its existence serves as a further statement of the District's concern for students' rights, and indicates a degree of committment not only to the students but also to those who must conduct the instruction. It would help to standardize the kind and amount of information students are receiving, as well as answer teachers' questions as to the meaning and application of certain rights. Whether or not it was being used would serve as the simplest answer to the question, "Is the material included in the social studies curriculum on a planned basis?". The planned incorporation of the Manual in social studies classes is still seen as the best means of conveying the all schools. Finally, if such a guide were included as part of an informational packet for administrators, along with other materials that suggest how to implement procedures (such as the sample of workable procedures in use at various schools in the district) it would, facilitate the creation of more site appeals boards, as well as upgrade some of those already in existence.

2. Steps should be taken to assure that enough copies of the edited version of the Students Rights and Responsibilities Manual are distributed to each school, early in the fall, for each student to have one. These copies should be redesigned to make them more visually appealing, and some consideration should be given to printing them on a heavier weight of paper, preferably colored. Some principals have asked for Chinese and Spanish editions as well.

3. School newspapers are being neglected as a means of conveying information to students regarding their rights. In November, 1971, Lowell High School included a two-page centerfold story, with pictures, in their paper, all about the manual. Schools with newspapers should be encouraged to adopt this approach, on at least an annual basis, to supplement or generate classroom discussion.

4. Schools should be encouraged to develop, and to post in areas accessible to students, copies of their appeals procedure. In addition, copies of the site procedures should be distributed with the manuals. The complexity of the procedures and burden on the student should be kept to a minimum. At sites where appeals must be initiated in writing, the student should be given printed guidelines and personal assistance in the development of his grievance statement. The cumbersomeness of the procedures must not be allowed to become so great as to discourage its use or undermine its effectiveness.

5. Subsequent evaluations will be facilitated if Walter Phillips, Director Pupil Services, could, in the future, approve for forwarding to the Assistant Superintendent of the Secondary Division, a memorandum with greater specificity as to the degree of cooperation that schools should extend to the evaluator. For example, it should be made clear to principals that not only are they to be interviewed, but that the evaluator is to be allowed to speak personally with groups of students. He is not to be denied access to them entirely, or be required to make repeated visits to the school, as was common this year. Such repeat visits were costly, both in time and money, where they occurred. Generally, there wasn't time for them. Advance knowledge of our procedures will make it easier for principals, as well as removing one means of avoiding full participation in the evaluation. The fault this year was that Mr. Milani did not request Mr. Phillips to elicit a memorandum from Mr. George Boisson, Assistant Superintendent, Secondary Division that was specific enough. From schools few or no student questionnaires were received. At each of these Mr. Milani was prevented from speaking with students, for one reason or another, and administrators were to distribute the questionnaries. This method, judged by its results, is deemed unsatisfactory.

The following recommendation was first made in a previous evaluation, but was never fully implemented. It is being repeated here because it is a valuable suggestion, and its adoption is urged:

Procedures should be adopted to require that when a student is in the process of being suspended, the student must be informed of the appeals procedure and is to complete a form initiating an appeal or temporarily waiving the right to appeal. If the behavior leading to the suspension does not involve danger to the student or to others, the suspension should be held in abeyance,

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pending the outcome of the appeal. While the student is obviously not required to use the appeals procedure, he must be made aware of it.

"Commissioner Giles pointed out that the HRC had long been involved in the drafting and acceptance of the Students Rights and Responsibilities Manual in response to widespread community interest from adults and students, and that it has received national recognition. She said that the Youth & Education Committee would be making specific recommendations of its own at its June 17th meeting.

The Milani report was submitted to Walter Phillips under whose direction this evaluation was conducted, but was brought to the HRC at this time for its information. It was pointed out that the HRC long ago distributed to all Commissioners copies of the Manual and has copies at its office.

*****She suggested a letter of commendation to Mr. Milani for his evaluation report.

- Commissioner Sing said she felt that the Manual should be translated into Spanish or Chinese, especially for non-English-speaking parents. It was pointed out that recommendation is made in the report.

- Necessity for SFUSD Contingency Planning for Emergencies-Commissioner Wesley.

John Queiser, Supervisor, Field Act Relocation, Transportation and Reproduction Services for the SFUSD, appeared before the Committee on June 3rd to discuss community concerns about the reported lack of coordination by the District during the recent City strike affecting public transportation and school attendance. Mr. Queiser discussed some contingency plans of the School District. Commissioner Wesley said he hoped other persons might come before the Committee to discuss this issue.

- Proposed HRC Support of Proposed Emergency School Attendance Plan Resolution by Dr. Lee S. Dolson, Member of the Board of Education - Commissioner Wesley.

The proposed resolution was read in full by Commissioner Wesley. Discussion ensuing centered on whether there was a hearing of the point of view of labor on the proposed Dolson resolution, and that, as well, of teachers.

It was

****m/s/c that the HRC support the Proposed Emergency School Attendance Plan Resolution by Dr. Lee S. Dolson, member of the Board of Education with the understanding that the HRC cover letter will state that the opinion of labor and teachers should be involved, in addition to "school district, community, parents and children" as shown in the full text of the proposed Resolution below.

WHEREAS: Several strikes have occurred in the last few years which have resulted in the interruption of the education of our children, and

WHEREAS: Without the development of some plan to meet these crises and other such future emergencies and which would insure student attendance opportunities throughout the crisis, there could continue to be a lack of educational opportunity together with a possible adverse affect on the entire lives of children,

THEREFORE BE IT RESOLVED: That the Superintendent be authorized and directed to develop with all due deliberate speed an Emergency School Attendance Plan which would maximize student attendance opportunities during a crisis condition,

- more -

BE IT FURTHER RESOLVED: That the widest possible involvement of school district, community, parents and children be undertaken in the development, and dissemination of, the operational particulars of the plan within a period of one month from the opening of school in the Fall Semester, 1976.

- Outcome of City College Curriculum Committee on Changing English-As-A Second-Language Graduation Requirements -Commissioner Giles.

The Curriculum Committee of City College met May 20th and adopted the English-as-a Second Language (ESL) requirements for foreign-born students for graduation. These changes were first submitted to all City College ESL instructors and were approved by an overwhelming majority. These changes reflect staff recommendations in response to a complaint filed in April, 1975 by City College Filipino students regarding ESL instruction. The HRC opposed regulations which treated students differently on the basis of place of birth.

The ESL changes approved are: to reduce by three units the number of ESL courses required of non-English-speaking students; to permit limited-English-speaking students to complete ESL courses at any time during college rather than requiring enrollment in the first semester; to provide a greater variety of courses which meet ESL requirements; and to remove the prohibition against students withdrawing from a required ESL course without permission from the appropriate Dean of Instruction.

The Curriculum Committee recommends these changes to the President of City College of San Francisco in the anticipation that they will become effective as of the Fall semester of the 1976-1977 academic year.

EMPLOYMENT
Rabbi Alvin I. Fine, Chairperson
David Yamakawa, Co-Chairperson

- Report on HRC Policy on Public Disclosure of Affirmative Action Information- Commissioner Yamakawa.

Referring to suggested additions by the community-based affirmative action agencies involved to the HRC Policy Governing Public Disclosure of Affirmative Action Information, adopted by the HRC May 27, 1976, and due to go into effect July 1, 1976, Commissioner Yamakawa reported that three conditions under which charges for "finalized documents" relative to nondiscrimination and equal employment opportunity agreements, all approved affirmative action programs, and official contract compliance and monitoring reports had been offered as follows:

"E. Charges may be waived in the public interest when:

1. The recipient of the benefits is engaged in a nonprofit activity designed for the public safety, health or welfare.

2. Payment of the full costs or fee by a federal, state or nonprofit group would not be in the interest of the program.

3. The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity.

There was a great deal of discussion on these suggested points on charges for finalized affirmative action documents, after which it was

****m/s/c that an optional waiver (of costs for finalized documents) be included in the HRC Policy Governing Public Disclosure of Affirmative Action Information, with details on how the waiver is to be granted to be worked out by the HRC Administrative Committee by the HRC's June 24th regular meeting.

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- Report Relating to Administration of Employment Staff

Chairperson Mezey, speaking to the large number of persons who were present, said that one of the main objectives of the HRC was to examine its priorities and that it welcomed the opportunity to work together with the community in this regard. Committees other than Employment will be looking at their areas of work in the near future. She identified the issues on this agenda under this subject as basically two:

1. The re-ordering of priorities on the part of the HRC and the staff as one working body.

2. The occasion to use the past experience to iron out some of the problems the community has in working with HRC and staff.

Commissioner Yamakawa introduced this discussion by reading in full a document submitted June 3, 1976 by Community-Based Affirmative Action Agencies to the HRC entitled Modifications of the Position Paper/Affirmative Action and Contract Compliance.

The text of this document:

"On May 18, 1976 five (5) points were presented to the Community-Based Affirmative Action agencies dealing with Affirmative Action and Compliance Contract. The following are modifications to these points and an additional point made by the Community-Based Affirmative Action Agencies.

1. To continue to fulfill provisions of Section 12A.5 powers and duties in Ordinance 209.64

2. To advise each employer as part of the program of the existence of affirmative action programs in each community and caution that REFERRAL TO HRC ONLY WILL NOT MEET HIS AFFIRMATIVE ACTION RECRUITMENT EFFORTS. Referrals will be made to community affirmative Action programs.

3. HRC staff can service to mediate disputes between community groups and employers (a primary role).

4. To increase the contract compliance and monitoring staff sufficiently to cover all city contracts and all other employment areas where affirmative action needs to be in compliance in accordance with Section 12A and 12B.

5. The contract compliance added staff to be selected from among the current Civil Service Recruiters and HRC community liaisons after training.

6. To set up a Communications Committee to meet monthly with a representative from each agency to discuss concerns with respect to City Contractors."

Commissioner Yamakawa commented on this document, saying that Point 1. is intended to be a policy of the HRC to leave the field of recruitment and placement and to concentrate its efforts in the area of compliance. He said that it was with this intent that the Employment Committee recommended the adoption of the six points (above) as a change in the policy of the HRC in this area.

Director Mickins was asked to comment on the six points. He expressed concern over Point 4. as affecting administration of staff, specifically his decisions on where to place the emphasis on the staff. He said he was in the process of doing this now.

Mr. Mickins gave a background in some detail of the six-point document (Modification of the Position Paper/Affirmative Action and Contract Compliance) dating from April 1st when the first Position Paper was presented by the community-based affirmative action agencies. A Position Paper Summary was prepared by the Director as an interim response to the agencies and it was discussed

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at the Employment Committee May 6th. He reviewed the Summary. At the May 6th meeting, the agencies stated that the HRC's Civil Service Recruitment Staff has competed with their own efforts in the field in that the agencies were required to show a certain number of placements under their CETA contracts. As a result of these discussions, Mr. Mickins called for HRC staff reaction and input. He said he indicated at a meeting between HRC Staff and some of the groups on May 18th that five of the six points recommended by the agencies could be addressed by the HRC. A problem in immediate change by the HRC in these areas was that its CETA Civil Service Recruiters were hired under specific job descriptions, and to change them to other areas would require training or a determination of their suitability for other types of work. He stated also that the CETA salary limit of $10,000 would have required the HRC to request from the Board of Supervisors supplemental salary increments to compensate HRC staff shifted to other work different from their CETA-specified positions. He noted also there was the concern about possible actual displacement of the Civil Service Recruiters.

Mr. Mickins stated that a meeting of a Communications group (suggested by staff) subsequent to May 18th, which he was unable to attend because of a prior commitment, did not take place. (See Communications section of these Minutes).

Mr. Mickins expressed concern over Point 4. calling for increasing the contract compliance and monitoring staff sufficiently "...to cover all City contracts and all other employment areas..." He said this got into the policy area of the HRC d etermining where staff time and activity was to be directed. Discussed with the City Purchaser and the City Attorney were the problems of the limited ability of the small HRC staff to conduct monitoring City contracts, whereas in the past the HRC had concentrated only on those contracts over $50,000. There are some 10,000 City contracts let annually--more than 50% under $5,000. Mr. Mickins said he felt that he should be in a position to make the administrative decisions as to where he assigned staff. He expressed agreement with the Point 6. proposal that a Communications group be established, but said that HRC staff, Commissioners and himself are all desirous of regular communication with community concerns.

Regarding the possible phasing-out of the HRC Civil Service Recruiter staff, he noted two points:

1. The HRC has indicated its willingness to implement Point 1 through 6.

2. As far as the eight Civil Service Recruiters there is the problem of their employment status. Alternatives include: absorption into the staffs of the community-based affirmative action staffs; retraining of Recruiters into affirmative action work; and the hope that the community would back the HRC in its requests for City funding for expanded affirmative action.

A number of people asked to make statements to the HRC:

Isabel Huie, Chinese for Affirmative Action, one of the community-based agencies submitting the six points, urging their adoption.

Mauricio Aviles, Mission Hiring Hall, another of the agencies

Idaree Westbrook, a private citizen, who urged that the HRC consider if it can get funding to upgrade its Civil Service Recruiters to affirmative action work.

Derrald Ethly, speaking as a private citizen, who said that it was unlikely that the HRC could obtain increased salaries for Civil Service Recruiters to do affirmative action work and that it could not ask them to do so on CETA salaries.

Al Wee, Chinese for Affirmative Action, who urged the HRC to adopt the six-point Position Paper.

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Alvin Norman, Bayview-Hunters Point Model Cities Agency, who urged the HRC before it concentrated on contract compliance to continue its work in the area of reducing tensions between minority communities.

There followed long discussion by the Commissioners on the issue, after Commissioner Grafilo moved that the six-point Position Paper of the community-based affirmative action agencies be adopted.

Commissioner del Portillo stated that her community's feelings were: we don't want anyone to lose their jobs; the HRC is the only place to go for help; people now involved can be retrained; (we are) asking for a good-faith effort in implementing compliance.

Commissioner Fine commented that he took very little exception to the six-point Position Paper, but, on a procedural point, he noted that the HRC operates under an Ordinance, and is assigned certain duties and responsibilities. It has power to appoint a Director and staff, delegating certain duties. At the present time the Director is reviewing not only the Employment program but the total HRC program and is preparing a full report and recommendations with regard to re-structuring. He said the whole matter was before the Administrative Committee and that this meeting was not the time to take action with respect to the program of the HRC until a full review and recommendations were made by the Administrative Committee.

Commissioner Maxwell concurred with Commissioner Fine's position on full review by the Administrative Committee.

Commissioner Sing stated that the issue was now three months old, and that it was, in her opinion, vital to address the present employment crisis in the City, with realization that the problem of how to retrain and restructure the work of the Recruiters had also to be dealt with.

There was discussion about Point 4. which called for coverage of all City contracts.

There were further comments from Commissioner Yamakawa (interpreting Point 5. to mean all of the Employment resources people of the HRC staff were to be given over to affirmative action/contract compliance and not all staff): from Commissioner Silva (calling for changes in what he called "this most racist City in the United States," and for Commissioners to seek funding support for HRC staff); and from Commissioner Wesley (seeing compliance and recruitment as priorities of the HRC).

Commissioner Grafilo asked the Director again if there were difficulties in implementing the six-point Position Paper, and Mr. Mickins responded that he had worked in helping put it together, and that the policy issue of how the Administrative Committee would determine staff priorities in all areas remained.

It was

****m/s/c that Point 4. be reworded to substitute the wording "to cover as many City contracts and all other employment areas as possible" for the wording "to cover all City contracts and all other employment areas", and that the HRC adopt the six-point Position Paper. The full text is attached to these Minutes. Commissioner Fine re-stated his position that he felt it was the proper procedure to have the Administrative Committee consider the Position Paper in the total picture of the HRC review. Commissioner Giles said her vote was affected by lack of information on how effective the recruitment process had been. Commissioners Fine and Giles voted No and asked that their votes be recorded.

It was also agreed that the Position Paper would include the stipulation that it applies only to the HRC Employment staff.

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Commissioner Maxwell urged that full consideration be given to the practical aspect of such HRC actions from the point of view of what it reasonably can do to implement.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Request for Endorsement of A.B. 3823.

Jo Daly of the HRC staff announced that A.B. 3823 has been amended in the State Legislature and that public hearings are scheduled for December by the Criminal Justice Committee of the Assembly. She asked that the endorsement request be tabled by the HRC.

ADMINISTRATIVE
David Yamakawa, Chairperson

- Notice of Intent to Adopt a Conflict of Interest Code for the Human Rights Commission.

The HRC is required, by action of the Board of Supervisors, to adopt a Conflict of Interest Code and work is now proceeding to do so by June 24th.

DIRECTOR'S REMARKS

- Pacific Telephone Gay Hiring Policy

Pacific Telephone and Telegraph Company has been ordered by an HRC panel (Commissioners Yamakawa, Maxwell and Herring) to "cease and desist" in the continued use of its policy of not hiring so-called manifest homosexuals. The order came after a show-cause hearing requested by PT & T. The order was issued May 28th and the utility was given 30 days to develop a policy consistent with the Nondiscrimination Ordinance. Pacific Telephone has twenty days to appeal the order. Mr. Mickins said he expected this issue to come before a full HRC hearing. The original complaint was brought to the HRC by the Pride Foundation.

- Peter Kiewit Sons Case

A show-cause hearing was held June 9th (Commissioner Silva, Morrissey and Herring) on a complaint by minority truckers. The panel decision has not been made.

- White Panther Party Investigation

Chairperson Mezey and Director Mickins met with Mayor Moscone June 9th and his decision on the HRC request that it be permitted to conduct an independent investigation into an incident of July 12, 1974 between members of the White Panther Party and the San Francisco Police Department will be forwarded in a letter at a later date.

- Chairperson Mezey and Director Mickins met also with Esther Lucas of the Mayor's staff to convey HRC concern that it be involved in the Civil Service Affirmative Action Plan, either in helping departments darft plans, to carry the ordinance to the Board of Supervisors, or to monitor the program once it is developed.

NEW MATTERS

- Vote of the Chairperson

Chairperson Mezey has asked the City Attorney's Office if the recent Board of Supervisors' requirement that all members of commissions should vote on all issues applied to the chairperson and his answer was affirmative.

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She said procedure on this as guidance for her would have to be worked out by the Administrative Committee.

- Preparation for Mayor Moscone's Talk to the HRC July 8th.

Commissioner Sing urged that the HRC draw up a set of positions to present to the Mayor at this time.

Chairperson Mezey asked Commissioners to send their concerns and suggestions to Commissioner Yamakawa before the Administrative Committee meeting on June 17th at 9:30 a.m. in the HRC Offices.

Commissioner del Portillo thanked staff ofor its work sending background material to her, and assured them that she read it carefully.

- Commissioner Fine suggested that perhaps the Lurie Room on the First Floor of the HRC would be more convenient to the public for HRC regular meetings.

- COMMISSIONERS WERE ASKED TO CALL THE HRC OFFICE TO INFORM IF THEY WERE ATTENDING MEETINGS, TO CUT DOWN ON STAFF USE OF PHONES.

REMARKS FROM THE AUDIENCE

Oscar James, Economic Chairperson of Bayview-Hunters Point and President of Dowble-O Trucking. Mr. James recommended that the HRC set up an advisory committee of contractors from the By Area. He urged immediate action by the HRC in aiding minority contractors to obtain contracts soon to be let in Hunters Point and the Mission District. He stated that bonding capacity was a major problem for minority contractors.

****Chairperson Mezey suggested that the HRC should work with bonding institutions and banks to try to get policy changes to facilitate minority contractors in obtaining bonding.

- James Fields, Field Representative, Bayview-Hunters Point Affirmative ActionProgram, suggested that the HRC inquire into training internship programs for members of CETA organizations set up by San Francisco State University.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, June 24, 1976, at 6 p.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, July 8, 1976 9:30 a.m. Cathedral House Library Grace Cathedral - 1051 Taylor St. S.F.
Youth & Education	Thursday June 17, 1976 3:30 p.m. Thursday July 1, 1976 3:30 p.m. Cathedral House Library -Grace Cathedral
Police Liaison	Wednesday, June 16, 1976 4 p.m HRC Office, Room 509 1095 Market Street - San Francisco
Social Programs	Tuesday, June 15, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, June 15, 1976 - 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:mf
Attachment

HUMAN RIGHTS COMMISSION

POSITION PAPER/AFFIRMATIVE ACTION AND CONTRACT COMPLIANCE

1. To continue to fulfill provisions of Section 12A.5 powers and duties in Ordinance 209.64

2. To advise each employer as part of the program of the existence of affirmative action programs in each community and caution that REFERRAL TO HRC ONLY WILL NOT MEET HIS AFFIRMATIVE ACTION RECRUITMENT EFFORTS. Referrals will be made to community affirmative to action programs.

3. HRC staff can serve to mediate disputes between community groups and employers (a primary role).

4. To increase the contract compliance and monitoring staff sufficiently to cover as many City contracts and all other employment areas as possible where affirmative action needs to be in compliance with Sections 12A and 12B.

5. The added contract compliance staff to be selected from among the current Civil Service Recruiters and HRC Community Liaison workers after training.

6. To set up a Communications Committee to meet monthly with a representative from each agency to discuss concerns with respect to City contractors.

June 10, 1976
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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of June 24, 1976

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*   *
*   NEXT MEETING: July 8, 1976   *
*   Thursday   *
*   9:15 A. M.   *
*   *
*   Commission Room, Third Floor   *
*   Main Library, Civic Center   *
*   *
* *

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David K. Yamakawa, Jr. (presiding) Vernon Alley, Carlota del Portillo, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, William Wesley, Nadim H. Zarour.

- Commissioners Vernon Alley and Nadim H. Zarour were welcomed formally to the HRC and each made a brief statement.

Excused: Antonio Grafilo, Caryl Mezey, Dan Silva and Lillian Sing

Staff

Present: Grant Mickins, Jack Casford, Med Claveria, Jo Daly, Carole Ellison, Larry Griffin, Carolyn Hom, Pam Lee, Wayne Redus, Gail Roberts, Emmett Rosebrough

Pledge of Allegiance

Minutes of June 10, 1976 approved with one correction: The Position Paper/ Affirmative Action and Contract Compliance adopted by the HRC June 10th as attached to these Minutes should have added: "7. This Position Paper applies only to the Human Rights Commission's Employment staff."

COMMUNICATIONS

- Director Mickins, as requested at the June 10th HRC Regular Meeting, had prepared in advance a list of the correspondence received between June 10th and June 23rd. Members of the HRC then asked to hear selected items of that correspondence, plus the correspondence received up to the moment of this June 24th meeting.

- From the Board of Supervisors, a copy of Amended Resolution #366-76; Endorsing Permanent Part-Time Employment for City Employees.

- From the Lesbian Feminist Lobby, commending the HRC on resolutions regarding the gay community.

- From the District Attorney, requesting names and legal addresses of HRC offices and employees.

- From Mr. F. Fong, Adult Probation, expressing appreciation for the assistance of Frank Anderson of the HRC staff to Asian probation officers on pending examinations.

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- From U.S. Senator Robert Dole, regarding efforts to secure passage of S. 3316 pertaining to architectural barriers.

- From William Bennett, City Attorney, stating a requested Opinion on the HRC Minority Entrepreneurship Plan.

- From J. B. Fottrell, Pacific Telephone & Telegraph Company, note of appeal of the earlier HRC Show-Cause Hearing Panel Finding.

**** The full HRC Hearing in this matter was set tentatively for the afternoon of Tuesday, July 13th.

- From Gil Boreman, Clerk, Board of Supervisors, notifying all City department heads of Supervisor John Barbagelata's budget and fiscal concerns for 1976-1977.

- From Bernard Orsi, General Manager, Civil Service Commission, responding to a request of the HRC on behalf of Asian probation officers.

- From Mayor George R. Moscone, expressing appreciation to members of the HRC staff assisting in research and study efforts for the Mayor's Select Committee on Yerba Buena Center.

- From Jan Holloway and Esther Marks, League of Women Voters, seeking HRC endorsement of a charter amendment, introduced by Supervisor John Molinari, calling for the Rule of Three for entry level and promotive civil service positions. This was referred to the Employment Committee.

- Prior to this Regular Meeting, the HRC had held a "meet and confer session" for Commissioners and staff to discuss the proposed Conflict of Interest Code.

- The first item of business in the Regular Meeting was the Public Hearing portion of consideration of the proposed Code. Vice-Chairperson Yamakawa asked all persons present for their comments on the proposed Code. There were none and the Public Hearing was declared adjourned.

- It was the consensus of the HRC following these two sessions (meet and confer and Public Hearing) that the proposed Conflict of Interest Code be adopted conditionally and forwarded to the Board of Supervisors pointing out details of it over which individual Commissioners had about specific portions.

COMMITTEES
Administrative
David Yamakawa, Chairperson

- Discussion of Voting Requirement Under Amended Rules for Chairperson.

Proposition K, passed in the November, 1975, City election, requires that all members of City boards and commissions declare either a yes or no vote on actions before their respective boards and commissions, unless a majority of the commission or board as a whole excuses a member because of a conflict of interest. The chairperson of the HRC had requested an Opinion of the City Attorney because the chairperson has in the past voted only in case of a tie. An informal Opinion has been received stating the chairperson is required to vote unless excused. The HRC not need to amend its Rules and Regulations to comply with this requirement.

- Recommendation Not to Seek Further Amendments to Section 12B 2f (5) of

the Nondiscrimination Ordinance to Permit Fewer than Eight (8) Members for Voting Purposes in Appeal Hearings.

The HRC previously had amended its Rules and Regulations to define a quorum as a majority of those Commissioners serving. Thus, if there were vacancies on the 15-person HRC, a majority of those seats then filled would constitute a quorum for voting purposes. However, this does not apply to appeal hearings in which the number present and voting is stipulated in the HRC's Ordinance. Since the HRC currently has a full commission seated, the Administrative Committee recommended not to request that the ordinance be amended at this time.

- It was recommended by the Committee, and it was

****m/s/c that all HRC Standing Committee chairpersons review membership composition of their committees with a view to including persons from groups which may have been omitted, including representation of gays, labor and the physically handicapped. It was suggested that the Gay Advisory Committee be considered a resource to other committees in recruiting gay community representation.

- Request to Amend Affirmative Action Disclosure Policy Statement to Include Provision Waiving Cost.

A number of concerns were raised by the Committee in discussing this issue: the actual cost of producing and sending documents requested; what demand could be anticipated; and adopting a waiver policy simple to administer.

It was recommended by the Committee, therefore, and it was

****m/s/c that the Director monitor requests for documents and cost incurred for the HRC's affirmative action reports and establish an experience factor for the ensuing three (3) month period (July 1, 1976 through September, 1976) and report the results as a basis for setting a waiver of cost provision in the policy.

It was pointed out by Commissioner Giles that the burden was not on the HRC to distribute copies of affirmative action documents, but that such copies (and information on them) were available at the HRC on request.

POLICE LIAISON
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- Request for Endorsement of Resolution Supporting San Francisco Women Against Rape.

This issue was postponed at the request of the proponents to the July 8th HRC regular meeting.

EMPLOYMENT
Alvin I. Fine, Chairperson
David Yamakawa, Co-Chairperson

- Request for Resolution in Opposition to S. 3069 and H.R. 12603, Companion Measures in the Congress called the Antidiscrimination Act of 1976.

Wayne Redus, Coordinator of Employment, had sent Commissioners in advance a memorandum discussing these companion measures giving in detail the factors in them which figured in the Committee's opposition recommendation, and attaching a copy of the proposed Resolution of Opposition. He also distributed copies of the proposed Resolution to those had not yet received them, as well as copies of S. 3069, introduced by U.S. Senator James Buckley of New York.

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The most potentially damaging effect of S. 3069 on affirmative action, the Committee pointed out, was that it would prohibit requirements for the use of goals and timetables based on race and sex on the part of federal contractors, and further prohibit the requirement of reporting employment data based on race and sex.

There was comment on S. 3069 from Commissioners Morrissey and Fine pertinent to Senator Buckley's motives for introducing this kind of measure in an election year, as well as the use of quotas historically as a means of discrimination, i.e., quotas for admissions of Jews to medical schools. Commissioner Fine pointed out that the experience in affirmative action implementation had shown that measurement of effectiveness of affirmative action depended on there being knowledge, by figures, of the makeup of workforces. He noted that this question had been addressed by the HRC in its Principles for Affirmative Action in Employment which it adopted in May of 1973. Mr. Redus will send a copy of this document to each member of the HRC again.

It was pointed out that S. 3069 would require a court order to obtain information from an employer about the makeup of a workforce.

It was also pointed out that the HRC's affirmative action work would be affected seriously by prohibitions against reporting and compliance.

It was

****m/s/c that the HRC adopt the Resolution Opposing S. 3069 and H.R. 12603. The full text of this Resolution is attached to these Minutes.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Request for Endorsement of Senate Bill 1650, Gifted Pupils Programs.

The total amount of money set aside for gifted pupil programs by the State Department of Education is computed on the basis of 3% of the total pupil school population in California in that year. The declining overall pupil enrollment and the increase in the number of pupils identified by districts as gifted being submitted for reimbursement have increased the drain on the existing funds. The resulting shortage means that the San Francisco Unified School District expects to receive $70.00 per pupil in 1975-76 which was significantly less than the State apportionment of $100 per pupil. (For the 1975-76 school year, only $39 was provided for the cost of identification, rather than the $50 stated in the State apportionment.)

SB 1605 would provide for an increase in state funding from the current pro-rated $79 to a stable $100 for each participant. It contains a provision to increase the current 3% of the state-wide K-12 A.D.A.(Kindergarten through twelfth grade, Average Daily Attendance)to 4%.

Commissioner Giles noted that the HRC some years ago had been shocked to note the "notorious lack of participation of minority group children" in programs for the gifted. As a result, the Committee has monitored these programs and knows through a recent report by William Cummings, Supervisor, Programs for the Gifted, to the Committee that now the participation of minority children has increased to 56.3% at the elementary level in total impact classes.

Commissioner del Portillo expressed her concern that the gifted program as presently administered in the SFUSD works only in a very minimal way with limited English-speaking children. She said that the District's Programs for the Gifted currently does not reflect the proportion of minority children in the District, and that their particular needs have not been addressed.

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Commissioner Wesley asked for statistics showing any increase in the percentage of minority participation in these programs.

Gail Roberts of the HRC staff reported that minority participation was 56.32% in total impact classes at the elementary level, 59.1% at the junior high level, and 52.5% at the senior high level. The figures were from a draft of a Status Report on Programs for the Gifted she is preparing. All Commissioners were invited to attend discussion of this Status Report scheduled for the next regular meeting of the Youth and Education Committee on July 1st.

It was

****m/s/c that the HRC endorse Senate Bill 1605.

- Committee Action on "The Five Chinese Brothers," a Children's Book in Use in the Public Schools.

A complaint alleging racial stereotyping was brought to the Committee on June 17th by Commissioner Lillian K. Sing. Commissioner Sing had written her concerns earlier to Dr. Yvette del Prado, Assistant Superintendent, Instructional Support, SFUSD, and Dr. del Prado had replied on May 11th. Commissionerswere provided copies of a letter sent by the Committee to Dr. del Prado June 21st. The text of that letter:

June 21, 1976

Dr. Yvette del Prado
Assistant Superintendent
San Francisco Unified School District
135 Van Ness Avenue
San Francisco, CA 94102

Dear Dr. del Prado:

The Youth and Education Committee of the Human Rights Commission noted with appreciation your response to the objections to the book entitled The Five Chinese Brothers as stated in your letter of May 11, 1976 to Commissioner Lillian K. Sing. A complaint regarding racial stereotyping had been lodged with HRC.

Several years previously, the Human Rights Commission initiated a multi-ethnic reading panel which reviewed textbooks. Having been chairperson of that panel at one point, I have some feeling for the limitations of available books and the difficulties involved in reviewing them. The panel worked closely with your predecessors: Dr. Raymond Pitts and Pauline Lee Mahon.

Please advise the Youth and Education Committee of the progress of Ms. Rosemary Colligan's review of this book, following the procedures as outlined by the State.

Thank you for your responsiveness to the complaint filed by community representatives. We look forward to a prompt resolution of this concern.

Sincerely,

Sister Mary Bernadette Giles
Chairperson
YOUTH AND EDUCATION COMMITTEE

There was considerable discussion by Commissioners on aspects of expressing communkty concerns about books in use in the School District. There was reference to the HRC's former Reading Panel, which for a time in a limited way made recommendations to the District on books Panel members (a multi-ethnic panel) reviewed to identify possible racial stereotypes or historial distortions

-more-

of minority people in this country. It was noted that books in use in the schools are reviewed by the State Curriculum Commission and groups it utilizes throughout the State.

DIRECTOR'S REMARKS

- Staff Status-CETA

Mr. Mickins read the memorandum received June 22nd from the Mayor's Special Assistant, Ms. Betty Lynn Guimaraes regarding CETA-funded employees. It announced that unless new legislation is signed (or a veto over-ridden)with the next several months, the City will be forced to drastically reduce CETA employments (sic) by January 31, 1977. As of January, 1977 the memorandum said, the City will have funds for only 325 to 350 persons. Since it shares CETA jobs with other governmental agencies (SFUSD, Housing Authority,Redevelopment Agency, etc.) at the end of January the City itself will have only approximately 200 CETA jobs slots left. Ms. Guimaraes requested by June 25th a list from the HRC (as from all City Departments) of CETA workers, their classifications, specific job duties and a "ranking of these employments in priority order."

More than two-thirds of the current HRC staff consists of CETA-funded positions. Mr. Mickins reviewed the HRC options on this crisis. He and staff are in the process of complying with this memorandum. He pointed out that this work adds an additional burden in view of the HRC action on June 10th calling for a reorganization of its Employment staff.

It was

****m/s/c that the HRC write immediately to California and San Francisco legislators in Washington urging their support for extension of the federal funding under the Comprehensive Employment Training Act.

NO NEW MATTERS

REMARKS FROM THE AUDIENCE

- Jo Daly, a member of the HRC staff, commented on the issue of the community complaint that the book "Five Chinese Brothers" (see Youth and Education Committee section of these Minutes) was racially stereotyped. She said she remembered the book from her childhood as a fairy tale giving a moral lesson, and that questioning "Five Chinese Brothers", in her opinion, should be perhaps accompanied by study of other fairy tales such as "Pinocchio," "Jack and the Beanstalk," and "Winnie The Pooh."

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, July 8, 1976 at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, July 8, 1976 9:30 a.m. Cathedral House Library-Grace Cathedral
Youth & Education	Thursday, July 1, 1976 3:30 p.m. Cathedral House Library-Grace Cathedral
Police Liaison	Wednesday, July 13, 1976 10 a.m. HRC Office, Rm 509-1095 Market St. S.F.
Social Programs	Tuesday, July 13, 1976 10 a.m. HRC Office, Rm. 509-1095 Market St.S.F.
Gay Advisory	Tuesday, July 6, 1976 Noon HRC Office, Rm. 509-1095 Market St.S.F.
Housing & Urban Development	Wednesday, June 30, 1976 10 a.m. HRC Office, Rm. 509-1095 Market St. S.F.

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:mf
Attachment

RESOLUTION OPPOSING S. 3069 AND H.R. 12603

WHEREAS, the contemporary civil rights movement in America has for decades involved the struggle for equal opportunity, which has resulted in the establishment of affirmative action programs designed to bring about equal opportunity in employment; and

WHEREAS, methods for deciding which groups have been most disadvantaged and therefore most in need of affirmative action must involve the use of data categorized by race and sex; and

WHEREAS, effective planning and the measurement of progress oftentimes must depend on the use of goals and timetables categorized by race and sex; and

WHEREAS, a disturbing national trend points to the steady and increasing erosion of the strides made with the use of affirmative action program, which have still not yet delivered; and

WHEREAS, the Antidiscrimination Act of 1976 is in reality designed to extinguish current affirmative action efforts at a time when what is needed is more not less;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco actively and aggressively oppose S. 3069, and its companion measure, H.R. 12603, by:

1) Notifying federal legislators of this position and urging them to oppose the bill

2) Notifying HRC's in other jurisdictions and urging their active opposition

3) Enlisting the support of state and local legislators and community groups in working for the defeat of S. 3069.

Resolution 9 -76
Adopted by HRC 6/24/76

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DOCUMENTS

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of July 8, 1976

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* NEXT MEETING: August 12, 1976 *
* Thursday *
* 9:15 A.M. *
*
* Commission Room, Third Floor *
* Main Library, Civic Center *
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing, David K. Yamakawa, Nadim H. Zarour

Excused: Vernon Alley, Carlota del Portillo, William Wesley

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Carole Ellison, Alberta Grant, Larry Griffin, Carolyn Hom, Pamela Lee, Stanley Lim, George Man, Joe Meza, David Prowler, Gail Roberts, Emmett Rosebrough, Lydia San Filippo, Essie Thomas

- Joseph Meza was welcomed to the staff as a Human Relations Representative. Mr. Meza was a charter member of the Human Rights Commission, a former staff member and for a number of years the Deputy for Social Programs in the administration of former Mayor Joseph L. Alioto.

Pledge of Allegiance

Minutes of June 24, 1976 approved with one correction: on Page 6 under Director's Remarks, Staff Status-CETA, Ms. Guimaraes middle name should be Lim not Lynn, i.e., Ms. Betty Lim Guimaraes.

COMMUNICATIONS

- From Francis J. Curry, M.D., Director of Public Health, inviting Commissioners and staff to the dedication ceremony for the new San Francisco General Hospital Medical Center on July 19th.

- From Supervisor Terry A. Francois, requesting follow-up on a letter sent to him protesting the lack of local Black musicians hired for the musical show "Raisin."

- From Mayor George R. Moscone, forwarding for HRC follow-up a complaint against an employee of Wells Fargo Bank.

- From Esther S. Ono, Supervisor of the Human Relations Commission of San Jose, announcing the dissolution by the San Jose City Council of the HRC in San Jose.

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- From Kirk A. McKinney, a member of the law firm of Furth, Fahrner & Wong, attorney for the Pride Foundation in its suit against Pacific Telephone and Telegraph Company, requesting that the HRC hearing on the PT & T appeal of a show cause hearing finding on the issue of employment discrimination against homosexuals be heard after September 6, 1976.

- From Mrs. Victor Koltugin of Parents and Taxpayers, protesting the use of the word chairperson in the HRC minutes.

- From Irving F. Reichert, Jr., Executive Director and General Counsel, The Bar Association of San Francisco, requesting HRC endorsement of a proposal for changes in the handling of citizen complaints against the police.

- From Steven L. Carter, Sr., Administrator for Affirmative Action and Community Relations, McKee Berger Mansueto, Inc., regarding developing a seminar workship (Project Symposium-Seminar-Workshop-SSW), co-sponsored by the Bay Area Urban League, in September for minority business.

- From Dr. Z. L. Goosby, Commissioner, Board of Education, concurring in the HRC recommendation for formation of a task force on pupil suspensions.

- From Martin A. Paley, Executive Director, The San Francisco Foundation, acknowledging receipt of an HRC proposal for funding of a proposed Management Improvement and Career Development Program. See Director's Remarks in these Minutes.

- From Supervisor Dianne Feinstein, reporting her affirmative vote for the allocation of revenue sharing funds for the Haight-Ashbury Home Ownership Assistance Program, which the HRC had endorsed.

- From Lee S. Dolson, Ph. D., Commissioner, Board of Education, thanking the HRC for its support of his "Emergency School Attendance Plan" resolution recently passed, and informing that he had referred, favorably, the HRC recommendation for the formation of a task force on suspensions and its position on school leavers to the Superintendent of Schools for action.

- From Jackie Goosby and Marilyn Hudson, proposing organization of a senior citizen volunteer referral service.

- From Commission on the Status of Women, announcement of the opening of La Casa de Las Madres, refuge for battered women, Friday, July 30, 6 - 9 p.m, Van Doren Gallery, 10 Gold Street, San Francisco, Ca. - $5 charge at the door.

COMMITTEES

Police Liaison
John Morrissey, Chairperson

- Proposed Endorsement of Memorandum of Cooperation, Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway.

The HRC has worked with the Municipal Agencies Task Force drawing up this program for eight months and several reports have been made to the HRC at its regular meetings. The HRC previously endorsed a funding proposal for $388,000 for this program. Director Mickins reviewed the background and current status of the Task Force and the program. Each of the participating agencies is asked to endorse the Task Force.

It was

**** m/s/c that the HRC adopt the Resolution of Endorsement of the Memorandum of Cooperation, Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway. The full text of that Resolution and the Memorandum of Cooperation are attached to these Minutes.

- Request for Adoption of a Resolution Supporting San Francisco Women Against Rape in Its Efforts to Assist Victims of Sexual Assault and Aid in Fulfillment of Related Goals

Two women, advocates for Women Against Rape, addressed the HRC to explain their organization and its objectives.

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Carol Wisnieski explained that WAR was organized in the fall of 1974 and its primary focus is a rape-crisis one. The approximately twenty advocates of WAR operate a telephone service 16 hours a day from 3 p.m. to 7 a.m., but with a 24-hour service in case of a rape crisis situation. WAR receives an average of two victims calls each day and some 90 general informational requests per month. Confidentiality is stressed in the telephone service. WAR also places information films for educational TV, works with the District Attorney's Office and the Sexual Trauma Center and does referral to doctors, housing and legal services. WAR advocates accompany women victims to hospitals, the police and to courts. On-going rap groups in communities for women to share experiences are sponsored. The group also does what it calls "streetsheeting", i.e., posting descriptions of rape attacks that follow a pattern with any frequency in a given neighborhood.

Margaret O'Hara said WAR was trying to expand its program through public information in schools and the community, input to police training programs, etc.

It was

****m/s/c that the HRC adopt the Resolution Supporting San Francisco Women Against Rape. The text of this Resolution is attached to these Minutes.

SPECIAL ORDER
Address by Mayor George R. Moscone

- The HRC was the fourteenth City commission the Mayor has spoken to regarding his positions on their future work since his election as Mayor in November of 1975.

He called on the HRC to continue its past history of developing innovative and creative approaches for maximum impact in getting access to public jobs and contracts for minorities. He suggested:

1. That the HRC survey the areas of the most flagrant abuse, "prioritize" them and develop an operating plan.

2. That the HRC be sensitive to the necessity of keeping its policy-making open to the citizenry through participation in its regular meetings.

3. That the HRC provide him with the results of its self-assessment of its functions and staff emphasis. The Mayor said he was doing the same assessment with the staff of the Office of the Mayor. He emphasized that the public holds members of the HRC accountable, however much work is done by the members of the regular staff (currently only six regular full-time professional employees under Civil Service), and that the Commissioners make the ultimate decisions of policy.

4. That the HRC continue its work with the Civil Service Commission to design a City affirmative action plan. The Mayor said he hoped that by the end of the year each City department would have worked out a comprehensive plan. An essential HRC service would be, he said, helping draft amendments that would provide the City Charter with an overall commitment to affirmative action. The HRC should lend its cooperative efforts and the experience learned in its successful dealings with the private sector on affirmative action.

5. That the HRC direct maximum attention to the field of contract compliance. He stressed that the Charter provision relating to contracts being let to the lowest bidder includes also the caveat that "awards may be made to the next highest bidder if it would be in the interest of the public good". He said that this meant that the public good is best served only when we see to it that minority citizens are hired by contractors or have the opportunity to themselves bid on contracts to be let by the City. He noted that the HRC has only one staff member monitoring City construction contracts and that he is so swamped with work that he can service only those over $250,000.

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Mayor Moscone paid tribute to the talents of the people serving on the HRC presently, some of whom represent constituencies that had not been, in his words, "tapped to share in City government before." He called for a sense of diplomacy to be used with a sense of commitment that the workings of City government are on the basis of equal and even treatment of all people.

Mayor Moscone recommended that the HRC seek advisors from the labor movement to assist it in its work in that sector.

He invited the HRC to call on him and his office when it had bureaucratic obstacles.

Chairperson Mezey responded to the Mayor.

She noted that the HRC is establishing priorities for its work, and has recently responded to community feelings in shifting some emphasis from job recruitment to contract compliance; that the HRC is working with other City in developing their own staff contract compliance work; that the HRC places great importance on having the City adopt a model affirmative action ordinance; and that it be included on a Civil Service task force under the Mayor's Office.

The Mayor suggested that the HRC take the lead in researching and obtaining support for writing and introducing a City ordinance through the Board of Supervisors to establish a City departmental model affirmative action plan.

Chairperson Mezey noted also problems with minority contractor participation which the HRC continues to work on, and the problem also of residency, citing current specific instances in these areas.

The Chairperson also stressed the HRC's traditional and on-going work and impact in the fields of housing, police liaison and education. It wishes to continue its stress and staff commitment to these areas. She pointed out specific involvements such as school suspension policies, expunging of police records, etc.

The Mayor pointed out that some items of concern to the HRC and the community require redress on both the state and federal levels, and that the HRC should maintain contact with City legislators there.

- Commissioner Silva asked the Mayor for his response to the recent HRC request that he permit it(as the HRC ordinance requires) to conduct an independent investigation of an incident that took place in July of 1974 involving members of the San Francisco Police Department and the White Panther Party.

The Mayor said that he had earlier talked with members of the HRC and the White Panther Party on this issue. He stated:

1. Any action that would be taken now would have no effect on the two persons who presently are incarcerated as a result of their arrest, trial and conviction on charges arising out of the July, 1974 incident, i.e., their terms would not be reduced nor would they be released from prison.

2. That he has faith in the commitment to fair play of the Police Commission and Chief of Police (all of whom he appointed). A series of weekend meetings is being held with the co-sponsorship of The Bar Association of San Francisco determining better ways to handle police-community incidents, (through a citizen review proposal) and to investigate charges that grow out of them.

The Mayor did say that while he suggested that the HRC not conduct such an investigation, which can be done by the Police Commission, the Chief of Police and a possible reform of the present system for such investigations that the HRC can ask for facts from all parties to the incident, and it can once again present a counter-argument to his just-stated positions.

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- Commissioner Maxwell called for the Mayor's support for the HRC's funding needs to provide adequate staff for contract compliance obligations. She reiterated that the HRC must deal also with education and housing, factors which also call for greater budget support from the administration.

The Mayor stressed that he took the HRC budget requests very seriously and had asked its representatives to participate fully in the drawing up of the current budget.

EMPLOYMENT
Rabbi Alvin I. Fine, Chairperson
David Yamakawa, Co-Chairperson

- Progress Report on City Construction by: Stanley Lim (HRC), George Newkirk, Public Utilities Committee, and Nat Mason/Steven Carter, Sr., McKee Berger Mansueto.

Mr. Newkirk, Employment Contracts Compliance Officer for the Public Utilities Commission, read in full a report submitted to the HRC and its Employment Committee. Highlights ofthe report (accompanied by charts showing job classification and ethnic breakdowns including women) are:

- As of March 31, 1976, the PUC had 13 construction projects in progress (the majority more than $100,000), for a total value of $33,817,169.50. The largest number of minorities working in these projects were in the laborers classification, since larger numbers of this classification are used. He pointed out that there were improvements in this report from the last one in the Fall of 1975 such as an increase from 12.2% to 29.9% minority hours worked in the carpenter class, and from 0% to 12.2% in the plumbers' class. Total minority man hours rose from 29.7% to 36.5%, and the number of minorities rose from 92 to 166. These increases, he said, were due to a increase in the commitment of PUC contractors.

- In the 9 professional services contracts with the PUC for the reporting period up to March 31st (with a value of $2,346,054), in eight of the firms, employing 987 people, 142 were minority males (16%) and 214 females (20%), including 38 minority females. Bechtel Corp., the ninth PUC professional services contract holder, employed 2,126 persons, 348 (16%) minority males and 494 females (23%) of which 159 were minorities.

Mr. Newkirk said his office continues to encourage the continued increased in the employment of minorities and women in responsible and technical positions, since they presently hold relatively few of these jobs. One problem area, he said, was employer resistance to hiring recent college graduates and continuing to require several years of experience before hiring.

A decline in the numbers of male minority employees in the Electrical Design division of Bechtel Corp, from 420 in 1975 to 348, causes PUC concern and Mr. Newkirk said he expects a change in this trend.

Mr. Newkirk responded to a number of questions from members of the HRC. He said that since March 31st, the number of projects through PUC has increased from 13 to 15 and the dollar value is now more than $35 million. Two significant projects (Forest Hill Station and a Water Department office building design project in San Mateo) will soon be underway.

- There was discussion about the problems of minority contractors who cannot obtain bonding at a level high enough to bid for bigger projects.

- Commissioner Silva asked if there could be breakdowns of the Spanish-Origin employees, i.e, Nicaraguans, Cubanos, Puerto Ricans, etc.

Stanley Lim then presented his formal report, the text of which follows, largely verbatim. The report was accompanied by four detailed statistical tables: a Summary of All Crafts and Non-Crafts, Comparison of All Workers with Prior Years, Minority and Female Apprentices and Analysis by Individual Projects.

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The purpose of these reports is to present a continued periodic review of the HRC's construction contract compliance program. Normally, two reports are made to the Commission each year. Last fall, before the fifth anniversary of the Bayview Hunters Point Memorandum of Agreement, a special evaluation was made in lieu of a regular City-wide construction progress report. This is a follow-up to the March 1975 report. Again, it follows the spring/autumn format and March is the sampling month.

Statistics are drawn from monthly work force reports submitted by contractors. These reports are based on the employers' record of the total hours for the month. However, the accuracy of the data presented here has been verified in several ways: For the San Francisco Unified School District's contracts, building inspectors were asked to make daily visual surveys and report results to HRC; and the Hunters Point projects required the submission of payroll-like reports with names and addresses of each employee then cross-checked by the field representatives at the Bayview Hunters Point Affirmative Action Program office. In other projects, HRC staff makes on-site visits to double-check reported figures. In all, this report covers: 1 SFUSD contracts, six for the Department of Public Works, one contract for the Airport Commission, three in the Hunters Point area,and two privately-financed projects being built on public land. In addition, there are 14 projects ready to start or just starting construction when this report is made. In terms of total dollar value, the current projects, excluding the two privately-financed buildings, represent slightly under $35,000,000 in public funds. The ready-to-start projects total about $30,000,000.

1. By ethnic breakdown, the total work force in 23 projects (Table I, pages 4-6) during the month of March was as follows: White: 50.6%; Spanish Origin: 24.2%; Black: 20.4%; Native American Indian: 1.1%; Chinese: 2.0%; Japanese: 0.4%; Filipino: 0.7% and, Other Non-White Minority: 0.6%. Minority workers totaled 49.4% or 365 persons out of 728. This figure compares favorably with March of 1975 which shows an overall minority representation of 43.0% and March, 1974, at 41.8%.

2. By craft and by level of competence, five trades have minority groups above the minimum goals for the employment of minority persons established by the HRC: bricklayer: 36%; cement mason: 73%; painter: 39%: roofer: 67% and sheet metal worker: 55%. But minorities were found below minimum goals in an equal number of trades: lather and plasterer: 24%; operating engineer: 21%; pile driver: 16%; plumber and steam fitter: 18% and, sprinkler fitter: 0% (dur to limited work). Minority participation considered within acceptable goal ranges are in the following crafts: carpenter, electrical worker and iron worker. As expected, in the non-craft classifications, except field supervision, minority groups are well above the required goals.

The figures, though taken as a whole, generally reflect the ethnic composition on each individual project.

3. Since the completion of the San Francisco Medical Center in the latter part of 1975, no massive projects have been under construction. Compared to March of 1975, the total worked hours have been reduced significantly. This year is down by about 35%, from 103,247 hours to 66,337 hours, and the number of workers also was reduced from 1,165 to 728, the lowest in three years.

4. For years, the HRC has reported that the level of participation by different ethnic groups in City construction is due mainly to historical reasons. For example, Spanish-Origin Americans, Blacks and Native American Indians have always maintained a level at or above their percentage of the City population, while Asians, despite both Chinese and Filipinos showed marked increases, still lagged behind. Asian total participation in 3.1% compared to 2.1% a year ago.

5. The employment of women in City construction has been a slow and frustrating experience. In the past three years, the HRC has been instrumental in placing nearly 20 women apprentices. But most of them were terminated after a short term of employment. In the past year, a total of four women apprentices were employed in City projects at various times. Three were carpenter apprentices and there was one bricklayer apprentice. During March,

a woman carpenter apprentice was working at the Commodore Sloat Elementary School site for about half the month. From the initial data gathered, the high turnover rate is due to a combination of factors, the strongest being some of the employers' negative attitude toward women as construction workers and the nature of the apprenticeship process itself.

6. Minority and Women Apprentices: Even though the number of apprentices is lower, the ratio of minority participation is higher than in previous years. The number of apprentices also has been reduced dramatically. There were only 55 apprentices in March. Of the total, 38 (64.8%) are minority and one woman compared to a total of 119 with 60 (48.6%) minority apprentices and two (1.3%) women a year ago.

In response to a request from members of the HRC at the time of the last report, this time an analysis was done of individual construction projects. (Table IV, pages 9 to 16). The format is simplified by grouping the total hours into craft and noncraft categories. These analyses, show 14 projects out of the total 23 with 50% or more minority participation. The average size of a crew per project is less than 32 persons. The highest number recorded was at Mission High School with 89. The lowest with eight at the Old South San Francisco Opera House.

PROBLEM AREAS:

In the course of HRC monitoring, certain problems continue to surface. Those frequently encountered are in these areas: apprenticeship, women in construction and minority entrepreneurship.

--The reluctance or restrictive practice by certain crafts to dispatch apprentices because of alleged high unemployment among journeypersons members is an obstacle which causes some contractors to be in noncompliance.

--Exemptions too routinely granted by DAS (the State Division of Apprenticeship Standards) to contractors from meeting the apprentice-to-journeypersons ratio of 1 to 5 resulted in lower opportunity for new entries to construction jobs.

--Also, to minimize the number of apprentices on the job some contractors employ less than five journeypersons at any given time, thus avoiding the employment of more apprentices.

--The continued resistance, some subtle some deliberate, by contractors to employing women as field workers hampered progress on this front. However, with goals to be established in the near future, the HRC hopes to achieve more than minimal participation by women.

--With the exception of the SFUSD contracts, which required a 25% minority entrepreneurship participation as a policy, no significant progress can be reported here because no goals have yet been established for inclusion of minority contractors.

Another familiar problem for years has been the lack of adequate HRC staffing to handle the necessary work in its compliance program. By comparison with any of the local and federal compliance agencies in this area, the present workload justifies the employment of at least two additional full-time HRC compliance specialists.

Despite the above problems, in measuring progress in terms of the overall ethnic participation, both men and women, in March as well as within the last year, the HRC can say that to a substantial degree the goals and objectives in its affirmative action program are being met. Periodic reviews of this type provide us the opportunity to identify theproblems and devise solutions. In the coming fiscal year, the HRC will critically revise its program to:

--Establish goals for minority entrepreneurship participation.
--Set goals and timetables for a more stablized employment pattern of women apprentices.

--Ensure better "ethnic balance" on a craft by craft basis.
--Give priorities in the selection of locally based contractors.

Mr. Lim thanked the following organizations, which directly or indirectly, assisted the HRC in monitoring its process: The Apprenticeship Opportunities Foundation, Bayview Hunters Point Affirmative Action Program, the Women in Apprenticeship Program of Advocates for Women, Chinese for Affirmative Action and the Mission Hiring Hall. They helped find the "missing link" by "discovering" the available person for the job. He also paid tribute to Henry Choromanski and Bob Mendes of DAS, Junius Camp of SFUSD and Mr. Nat Mason of MBM for their support and participation in many ways.

In the ensuing discussion, Mr. Lim reiterated, in response to Commissioner Yamakawa, that the HRC staff is so small that it can only monitor (through him) City construction contracts over $250,000. He also said that the questionable practice of some contractors' transferring workers from private to a City-funded project to comply with affirmative action guidelines had been detected in some cases and stopped. He said it was very difficult to detect instances when labor unions might refer minorities only to City-funded public projects and not to others.

Mr. Lim said,in response to an inquiry from Commissioner Sing, the HRC has no means to follow-up on what promotional patterns for apprentices occur on a given workforce after a City contract is completed unless the firm has another City contract. He said there had been an attempt in the past to work out a program of this nature with the Apprenticeship Opportunities Foundation, but there was lack of support for the idea. He said also that the movement upward of minority apprentices depended on the four and five-year apprentice requirement before becoming journeypersons.

Commissioner Fine commended Mr. Lim for the comprehensive nature of his report and for his continuing contract compliance service to the HRC.

Steven Carter, Sr., Administrator for Affirmative Action/Community Relations of McKee Berger Mansueto next addressedthe HRC about his firm's current administration of earthquake-proofing construction work on buildings operated by the San Francisco Unified School District under the Field Act requirements. He said that a goal of at least 25% minority entrepreneurship participation had been established, but that they were currently having 36% participation with some instances of 40 to 50%. One of the factors in this achievement was the widespread publicizing of job availabilities and recruitment of minority entrepreneurs to bid. He described also the efforts to overcome costs of bonding paperwork required by surety underwriters through subsidizing a bonding clerk to handle all the necessary paperwork and cut down on these administrative costs.

Nat Mason, Administrative Assistant for Affirmative Action for MBM, reported that before the earthquake-proofing program (totaling $48,000,000) of the School District began, minority contractor participation in District projects was less than one-half of 1%. Now there is a 25% minimum (of the dollar value of the project) for minority participation in any general contractor undertaking. Minority participation, he said, totals $18,792,678 as of this date, with $6,780,721.39 since November of 1975. Four majority contractor bids have been rejected for failing to meet the 25% minimum.

Mr. Mason said that before the MBM work began, some five major contractors received most School District construction jobs. Now some five contractors bid on each project, and, since November, the jobs let have been completed at 5% under the original estimated cost. He attributed the lower completed costs to the fact that more competition for contract bids has been generated by opening up the bidding process.

He said, however, that not enough effort has been made to recruit and find minority entrepreneurs. His office is working with Asian and Spanish-Origin community sources to increase their participation in these contract bids. There has been a 200% increase in the participation of white-owned contractor firms in the bidding process since the 25% minimum was set.

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HOUSING AND URBAN DEVELOPMENT
Tony Grafilo, Chairperson
Enola Maxwell, Co-Chairperson

- Proposed Resolution on the International Hotel

Joe Diones, Chairperson and Manager of the International Hotel Tenants Association, addressed the HRC, giving a brief background on the eight year struggle of the tenants (most of them retired, low-income, Filipino senior citizens) to prevent the building from being demolished by the owners. The HRC has been involved directly with these efforts. A recent court ruling upheld the eviction order obtained by the Four Seas Corporation, the present owners, and the tenants are faced with eviction on July 15th.

Mr. Diones said the tenants had appealed to the Housing Authority to use its powers of eminent domain to acquire the building and permit its retention by the Tenants Association and continuance as low-income housing under their eventual ownership. The Four Seas Corporation is asking $1,250,000 for the building, a profit of $500,000 over their original purchase price. The owners have provided no maintenance and repair for the building, but the tenants, aided by community contributions, have spent several thousand dollars in repairing and refurbishing the structure.

Mr. Diones said the meeting of the Housing Authority set for this date (July 8th) in which it was to hear the tenant position and take action on it, was postponed because two members were out of town and there was no quorum. He noted that there are two vacancies on the Housing Authority not yet filled by the Mayor.

After discussion among Commissioner about the urgency of the issue, it was

**** m/s/c to adopt two separate Resolutions, addressed respectively to the Housing Authority and the Mayor, to urge retaining the International Hotel as a resource for low-income housing and community agencies, and for the Housing Authority to use its power of eminent domain. Cover letters were to note the imminent eviction order and urge immediate appointment of two members to the Housing Authority. The texts of these Resolutions are attached to these Minutes.

DIRECTOR'S REMARKS

- Management Improvement and Career Development Program

This is a proposal, copies of which were provided the Commissioners, that has been submitted for consideration for funding to the San Francisco Foundation. It seeks to enable the HRC to achieve upgrading and improving its operation in a number of ways, including management and staff training, setting of staff short and long-range goals, the development of communication networks, etc.

It was

**** m/s/c that the HRC grant formal approval to the funding proposal to the San Francisco Foundation.

Chairperson Mezey referred to the Administrative Committee further discussion of details of the funding proposal. Also referred to that Committee was discussion of working out details of the forming of a labor advisory committee to the HRC. The Committee was asked also to evaluate the experience of community participation in the three experimental evening meetings of the HRC.

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Chairperson Mezey referred to the Police Liaison Committee further duscussion of possible HRC action regarding the requested White Panther Party incident investigation. She suggested that the Committee draft a letter expressing some HRC concerns to Chief of Police Gain.

NO NEW MATTERS

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, August 12, 1976 at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, August 5, 1976 9:30 a.m. Cathedral House Library - Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, August 5, 1976 3:30 p.m. Cathedral House Library - Grace Cathedral
Police Liaison	Wednesday, July 21, 1976 4 p.m. Commission Room - Main Library - S.F.
Social Programs	Tuesday, July 13, 1976 10 a.m. HRC Office, Room 509 - 1095 Market St. S.F.
Gay Advisory	Tuesday, August 3, 1976 12 Noon HRC Office, Room 509 - 1095 Market St. S.F.
ADJOURNMENT	Respect

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:PA

Attachments

RESOLUTION
of Endorsement of
Memorandum of Cooperation
Municipal Agencies Task Force on Youth
Harassment and Violence and the Municipal Railway

WHEREAS, Dennis Carey, Vice President of the Public Utilities Commission, at the request of then Mayor Joseph Alioto in November 1975, invited the Director of the Human Rights Commission to form a task force seeking solutions to youth harassment and violence occuring on the Municipal Railway; and

WHEREAS, various governmental agencies and community groups, meeting monthly, subsequently are seeking to initiate and develop new programs for the benefit of young people and to minimize the atmosphere and conditions that are the tap roots causing vandalism and violence by a very limited number of individuals in this community; and

WHEREAS, the San Francisco Youth Service Bureau has proposed a San Francisco Alternative Approach to Muni Violence Program, to be funded by Law Enforcement Assistance Act state discretionary funds; and

WHEREAS, the Municipal Agencies Task Force on Youth Harassment and violence and the Municipal Railway has been designated as an advisory body to this project; and

WHEREAS, the participants on the Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway adopted the Memorandum of Cooperation June 21, 1976,

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco endorse the Memorandum of Cooperation, Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway; and

BE IT RESOLVED that all of the participating agencies of the Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway are urged to endorse and support the Memorandum of Cooperation; and

FINALLY, BE IT RESOLVED that the Human Rights Commission of San Francisco pledges its cooperation and support in the implementation of the Memorandum of Cooperation.

Resolution 10-76
Adopted by HRC 7/8/76
mf

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco 94103
558-4901

Memorandum of Cooperation
Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway
June 22, 1976

The Juvenile Court, Municipal Railway, Police Department, San Francisco Unified School District and the Youth Service Bureau will cooperate to the fullest extent possible in supporting the Youth Service Bureau's Streetwork and Youth Employment Projects, seeking to minimize the conditions which trigger violence, harassment, and vandalism by a very limited number of young people in San Francisco. The Municipal Agencies Task Force on Youth Harassment and Violence and the Municipal Railway will continue to function as the cooperating body, serving as a sounding board for problems, refining the Program as necessary, and channeling information to the appropriate groups. The agencies participating in the Task Force are as follows: Community Streetwork Center, Human Rights Commission, Juvenile Court, Mayor's Council on Criminal Justice, Municipal Railway, Police Department, Transport Worker Union Local 250, and the Youth Service Bureau. The Community Relations of the U.S. Department of Justice participated in the Task Force as consultants. The San Francisco Board of Supervisors Citizens Advisory Panel for Transit Improvement participated in the Task Force after much of the negotiations involving the Youth Service Bureau's projects and the Task Force's memorandum of cooperation were completed. Agencies participating in this Task Force have individual responsibilities which related to the issue of youth initiated violence.

The Streetwork Project, with its youth employment component, will operate through the Youth Services Bureau. The Streetworkers will be involved in the schools and in the neighborhoods with high incidents of youth iniitated vandalism and violence. The streetworkers will accompany youth on the buses if a problem appears to be brewing. The Project will purchase bus tokens from the Municipal Railway which will be distributed as needed to the streetworkers. When buses are unduly late, streetworkers will call the Muni Information telephone number or other appropriate numbers to ascertain when a bus will be arriving. They then can explain the situation to the youth, seeking to reduce tension.

The leadership and counsel of the Youth Service Bureau and the Mayor's Council on Criminal Justice are essential to the success of the Streetwork project as well as of the Youth Employment project.

The San Francisco Unified School District will cooperate as fully as possible. The District Administration will issue a memo requesting site cooperation, circulated in the Weekly Administrator's Directive. Subsequent to the issuing of this memorandum, Project staff will meet with the principals at the school sites, in which the streetworkers will be working, to permit streetworkers to meet with school personnel on school premises. In addition, the School District and the Municipal Railway should cooperate more closely in providing information re: transportation services, and in resolving causes leading to problems on the buses such as over-crowded conditions, improper scheduling, and school gang rivalries.

The San Francisco Police Department should informally utilize the services of streetworkers as appropriate as should the Juvenile Court. Informal referals should be made of youth who could profit by such services. The Juvenile Court will employ to the fullest extent feasible, diversion programs including those which feature restitution for damages caused.

The Security Services Department of the Municipal Railway is responsible for coordination with the Crime Specific Task Force of the San Francisco Police Department (SFPD) for the deployment of SFPD Transit Security Personnel in the reduction of crime on the Municipal Railway. Muni operators and inspectors have the responsibilities of contacting Central Control, calling for police assistance, or taking other necessary measures to insure the safety of passengers or preventing damage to Municipal Railway equipment. Monthly incident reports are compiled by Municipal Railway Security Services.

Transit bus drivers are, of course, on the scene of Muni incidents and are important to the resolution of concerns. Funding for released time through the Youth Service Bureau for part of the funds allocated to the Project or from private foundations should be sought to provide a speakers' bureau through the Transport Workers Union, Local 250. This approach involves the Muni operators discussing concerns related to problems on the motor cars establishing a dialogue between youth and motor car operators. The purpose of such a program would be to open up lines of communication between motor car operators and youth in selected schools and neighborhoods where there has been a high number of incidents to allow for the resolution of problems before they reach the crisis stage.

Community understanding of their projects is essential and should be furthered through the efforts of community and governmental groups such as the SFPD Community Relations Unit, Community Streetwork Center, the San Francisco Board of Supervisors' Citizens Advisory Panel for Transit Improvement, and the Human Rights Commission. The Community Relations Unit of the U. S. Department of Justice will serve as consultants to mediate any disputes arising from individuals or groups approved to the proposed Youth Service Bureau projects.

GR:gm

RESOLUTION IN SUPPORT OF INTERNATIONAL HOTEL

WHEREAS, housing conditions in Chinatown-Manilatown are the worst in the City, with many substandard units and overcrowding; and

WEEREAS, vacancy rates in the City as a whole, and Chinatown-Manilatown in particular, constitute a state of emergency; and

WHEREAS, the International Hotel is a unique asset to our community, threatened with destruction by speculators;

WHEREAS, the tenants of the International Hotel are facing eviction by court order on July 15, 1976, and therefore immediate public action is necessary;

Now, Therefore be it resolved that the Human Rights Commission urges the San Francisco Housing Authority to find some means to retain the Hotel as a resource for low income housing and community agencies, specifically the power of eminent domain.

Resolution 12-76
Adopted by the HRC 7/8/76.

DP:mf
7/8/76

RESOLUTION IN SUPPORT OF INTERNATIONAL HOTEL

WHEREAS, housing conditions in Chinatown-Manilatown are the worst in the City, with many substandard units and overcrowding; and

WHEREAS, vacancy rates in the City as a whole, and Chinatown-Manilatown in particular, constitute a state of emergency; and

WHEREAS, the International Hotel is a unique asset to our community, threatened with destruction by speculators;

WHEREAS, the tenants of the International Hotel are facing eviction by court order on July 15, and therefore immediate public action is necessary;

Now, Therefore, be it resolved that the Human Rights Commission urge Mayor Moscone to pursue his request to the S. F. Housing Authority to find some means for retaining the International Hotel as a resource for low income housing and community agencies, specifically the use of the power of eminent domain.

Resolution 11-76
Adopted by the HRC 7/8/76

DP:mf
7/8/76

RESOLUTION OF THE HUMAN RIGHTS COMMISSION
OF SAN FRANCISCO
IN SUPPORT OF

SAN FRANCISCO WOMEN AGAINST RAPE (SFWAR)

BE IT RESOLVED that the Human Rights Commission support the efforts of the San Francisco Women Against Rape in its efforts to establish goals concerned with assisting victims of sexual assault; and

BE IT FURTHER RESOLVED that the HRC advocate that SFWAR expertise be used by various City departments and agencies including the Police Department, courts, and Department of Public Health; and

BE IT FURTHER RESOLVED that HRC support SFWAR programs to prevent and eradicate rape through public education.

Resolution 13-76
Adopted by the HRC 7/8/76
mf

DOCUMENTS
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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of August 12, 1976

NEXT MEETING: September 16, 1976
Thursday - 9:15 a.m.

Commission Room, Third Floor
Main Library, Civic Center

- September 9th, the regular second Thursday meeting date is a legal holiday.

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Carlota del Portillo, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Phyllis Lyon, John Morrissey, Dan Silva, David K. Yamakawa, Jr., Nadim M. Zarour

Excused: Sylvester Herring, Enola Maxwell, Lillian Sing, William Wesley

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Med Claveria, Carlton Crump, Luis Escobar, Alberta Grant, Larry Griffin, Pam Lee, Joe Meza, David Prowler, Wayne Redus, Gail Roberts, Emmett Rosebrough, Essie Thomas, Jamie Williams, Doug Yamamoto

Pledge of Allegiance

Minutes of July 8, 1976 approved. Chairperson Mezey asked that these Minutes record her commendation for their excellent quality and their use as a valuable communications tool for the HRC.

- From Lane E. Delara, Associate Superintendent, Office of Instructional Services, San Francisco Unified School District, suggesting meetings to be scheduled with himself, Mr. Phillips of the School District staff and four assistant superintendents as follow-up on the recommendations of the HRC in its Suspension Report for 1974-1975.

- From D. W. Smith, Associate Warden, Administration, San Quentin State Prison, acknowledging Mr. Mickins' commitment to participate in a Human Relations Conference in Tiburon, California, on August 18, 1976.

- From Carolyn Dobson, Coordinator, Employee Referral Program, giving basic information about the program, established in 1970 "to provide assistance to San Francisco City and County employees who have alcohol problems."

- From Georgean Heller, Acting Executive Director, National Conference of Christians & Jews, Inc., praising the minutes of the HRC as being "the most complete and well-written of any city agency," and a means of communicating the work of the HRC and keeping recipients current in the human relations scene in the City.

- From Mayor George R. Moscone, soliciting support for the Mayor's Youth Bowl fund-raising charity professional football game opening the season for the Forty-Niners team at Candlestick Park on Sunday, August 8th.

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- From D. W. Smith, Associate Warden, Administration, San Quentin State Prison, acknowledging Director Mickins' participation on an Affirmative Action Panel during the annual California Black Correctional Coalition Conference.

- From Stephen J. Lewis, Office Manager, Chet C. Smith Trucking Company, regarding the HRC's Notice of Finding in Martin L. Johnson, et al vs. Peter Kiewit Sons' Co. and Chet C. Smith Trucking Company. Mr. Lewis states, in part, "it is distressing to see the language chosen by the Majority of the Hearing Panel...'The Panel did not find the Respondents in noncompliance' and that we submit that the findings of the Panel be either that: 1) Respondent is found in non-compliance or 2) Respondent is found in compliance."

- From Francis J. Curry, M.D., Director of Public Health, thanking the HRC (among many other agencies and individuals) for assistance to the Health Department and himself during his tenure there. Dr. Curry retired at the end of July and the HRC had sent him a formal letter of commendation.

- From Louis R. Lurie Foundation, stating that the foundation does not fund governmental agencies, whether local, state, or national. The HRC had submitted a grant request to the foundation for a youth project.

- From Joyce Ream, Director, Women's Program, Coro Foundation, thanking the HRC for giving assistance to Ms. Julienne Chiang, a Coro intern. Ms. Chiang was at the HRC for three days and interviewed staff members and was given access to materials dealing with HRC work.

- From Leo T. McCarthy, Speaker of the California Assembly, thanking the HRC for its official endorsement (June 24, 1976) of Senate Bill 1605, (Gifted Pupils Program) passed by the Senate and referred to the Assembly Committee on Education. A hearing was set for August 5, 1976. The Youth & Education Committee was asked to follow up on this bill.

- From Joseph J. Botka, Chief Probation Officer, San Francisco Juvenile Court, asking for HRC consideration of two questions raised in the latest report of the Grand Jury regarding alleged "institutional racism" at ranches operated by the Court for youths in their custody. This letter was referred to the Youth & Education Committee. Commissioners Fine and Giles suggested that copies of an extensive survey/report/recommendations by Stan Abe a few years ago through the HRC be forwarded to Mr. Botka.

- From L. A. White, Associate Director, The San Francisco Foundation, informing that the HRC's grant proposal for a Management Improvement and Career Development project has been reviewed and that the Foundation Distribution Committee will not act favorably on it because "it should be the city's responsibility to hire and train staff of the HRC..."

Commissioners agreed that a meeting should be sought with Mr. White by the Director and other members to determine what kinds of HRC projects would meet a more favorable response.

- From Russell Matsumoto, for Japanese Community Services, Inc., expressing concern over failure to notify the Japanese community during the time the recent change was instituted at the HRC, at the request of certain community groups, placing an emphasis on affirmative action monitoring and enforcement of City contracts and City contractors. Mr. Matsumoto asked, given the discontinuance of HRC recruitment functions, how job information on the public and private sector will be disseminated to the Japanese community, there being, he said, no affirmative action employment organization in the Japanese community doing full-time employment work to pick up the services lost by this HRC change.

This letter was read in full by Chairperson Mezey, who referred it to the Administrative Committee.

- From Dr. Jose R. Llanes, Multicultural Program, San Francisco State University, expressing (in a letter sent separately to each Commissioner) concern over events transpiring in a July 26th meeting of the Board of Directors at the Mission Neighborhood Health Center, and asking HRC investigation of them. This letter was referred to HRC staff for consideration of action and report back to the full HRC. Commissioner del Portillo expressed her desire to be of assistance.

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- To Willis F. Kirk, Ph. D., Associate Dean, City College of San Francisco, a response by Director Mickins to his complaint letter addressed originally to Mr. Joseph Hall of the National Association for the Advancement of Colored People, with a copy to Supervisor Terry Francois. Supervisor Francois had asked the HRC to consider Dr. Kirk's concerns over the lack of hiring of local Black musicians for the orchestras of traveling stage performances, citing especially the show "Raisin". Director Mickins at this meeting asked Commissioner Alley to comment. Commissioner Alley said that the problem was one that had long concerned him, and stated that he hoped that he could draw up a list of Black musicians who could be referred by unions when there are openings with traveling shows. He said one problem was that most Black musicians work days and cannot make rehearsals. He agreed to work with Director Mickins and others on this issue.

COMMITTEES

Employment
Alvin I. Fine, Chairperson
David Yamakawa, Co-Chairperson

- Fisherman's Wharf Restaurant Affirmative Action Survey Report - Essie Thomas, HRC Employment Investigator.

The HRC's work in implementing affirmative action in employment at restaurants at Fisherman's Wharf led, in 1970, to the signing of the first agreement.

This survey was done in June 1976 as a follow-up to the Fisherman's Wharf Affirmative Action Agreement signed October 24, 1975. The survey is being used to monitor the agreement and to isolate problems areas for possible solution. This annual survey covers all persons on the payroll as of December 31, 1975. There were difficulties with the return of some questionnaires; all information was not received until June 3, 1976.

The survey includes all signators to the agreement, being restaurants having five or more employees and having leases with the Port Commission. Nonlease-holding restaurants are not included in this report. The report compares 1975 with data collected in December, 1973 and December, 1974. It also includes an analysis of the 4th quarter activities (hiring, termination, affirmative action file and upgrading). There is no direct comparison to earlier reports since "current workforce" category was only initiated in the 4th quarter of 1975.

The data are separated for the visible staff, i.e., dining room and bar staff, and nonvisible staff, i.e., kitchen, office and other personnel. A separate analysis includes the visible jobs i.e., waiter/waitress, cashier, bartender, etc. All information is by race and sex.

The eight statistical tables (attached to these minutes) included:

1. A yearly report of the total workforce and a comparative analysis for a three-year period, and a summary by percentage of the visible jobs for both White male/female and minority male/female.

2. Breakdown of the more visible jobs in the restaurant industry, i.e., captain, maitre d', hostess, cashier, bartender, waiter/waitress (dining room and/or cocktail) and checkers. The breakdown is expressed both numerically and by percentage.

3. Breakdowns for chefs, cooks and other kitchen help in addition to bus persons and salad persons. Whereas chefs and cooks are among the better-paid jobs in the restaurant industry, they are nonetheless not "visible" per se and therefore not included in the visible category. Also included in these tables are office personnel shown under the "other personnel" category.

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4. Comparison of the total jobs by race for 1973, 1974 and 1975. Since the last report two new restaurants have been added to the survey sample, causing an overall increase of 120 employees. While there was a numerical increase among minority employees, the percentage of female workers decreased.

Ms. Thomas stressed the following points:

Goals: Hiring, training, and promotion goals were not met.

Hiring: The employer agreed to a goal of 50% minority and 30% women during this (1975) agreement year. In fact, only 10 or 9% were women and 35 or 32% were minorities while the overall increase was 110, which means 59% were not minorities or women.

Training: There were 21 persons being trained as of December 31, 1975. Of this number, only one (1) was female, being trained as an office worker and not in a nontraditional culinary position. The Human Rights Commission has attempted to get participation from the restaurants into the apprenticeship programs for bartenders and cooks to no avail.

Promotions: There were thirty (30) promotions and upgrades. Fourteen or 47% were minority males and eight or 27% were females, none of whom were minorities. This again is a good example of the restaurants' not complying with the agreement, said Ms. Thomas. The agreement states that 60% of the promotions would be minorities and 40% women.

The parties agreed that the Human Rights Commission may review compliance with the agreement anytime during the term of the agreement. The fact is that in some cases, it was necessary to threaten non-compliance proceedings, and in one case a complaint had to be filed by this agency in order to get the quarterly survey report. With only one staff person to monitor these restaurants while fulfilling other assignments it is very difficult to monitor as closely as necessary, Ms. Thomas stressed.

The signators to the agreement, their total workforces, and minority participation gaps are:

		Has not employed:
Tarantino's	52 employees	Native American Indians
Borruso's	15 employees	Japanese, Blacks
Sabella & La Torre	26 employees	Japanese, Native American Indians
Alioto's #9	149 employees	Japanese, Native American Indians
Carnation	28 employees	Filipinos, Native American Indians
Franciscan	85 employees	Japanese, Native American Indians
Sinbad's	26 employees	Japanese
World Trade Club	77 employees	Native American Ind.
Castagnola's	78 employees	Native American Ind.
Pompei's	36 employees	Blacks, Japanese Native American Ind.
Victoria Station	80 employees	Chinese, Filipinos
The Waterfront	35 employees	Japanese, Native American Ind.

Ms. Thomas stated that the restaurants on Fisherman's Wharf have made virtually no improvement in minority hiring in the last three years (1973, 367 or 52.8%; 1975, 486 or 52.9%). The visible job category for minorities was increased only 1.1%, from 24% in 1974, to 25.1% for 1975.

Problems still remain to be solved however, in that when the jobs are classified into the higher - paying visible categories there still is only a 25% representation of minorities and significantly low representation of all minorities except Chinese and Spanish-origin. There has been a definite improvement in the number of minority persons hired (and or upgraded). However, a minority person still has much less chance than a white person, once hired, to get a high - paying job at the signator restaurants on Fisherman's Wharf.

The kitchen jobs are held mostly by minority men (83.6%). There are only seven women in the kitchen and three of the seven are dishwashers. There is a definite trend in the kitchen and the dining room excluding minority women. White women are 79.3% of the females in the dining room workforce and 57.0% of the female workforce in the kitchen. However, women in general are a little more than 1/3 of the workforce in the dining room and 2.5% in the kitchen.

The industry in general has not changed much in its method of hiring over the past three years. The problem areas cited in the 1973 survey, while they have improved slightly, have not been solved. (There are four Black waitresses out of 75, and 5 Black waiters out of 181, and not a single Native American Indian in the dining room. Out of 56 bartenders there are no Blacks, Japanese or Native American Indians.)

The biggest problem area is still the small number of Blacks, Filipinos and Native American Indians represented overall and the significantly smaller percentages of all minorities (especially Blacks) who are hired for visible jobs. Improvements made have mostly resulted in increased opportunity for Asians in the kitchen and dining room and not much change in the number of Blacks hired overall. There is less than a 3% representation of Black people in the higher-paid dining room jobs and less than 8% in the kitchen, even though the minority representation in the kitchen is 85.9%.

It seems apparent, Ms. Thomas stated, that the affirmative action agreement, signed in 1970 and the following years through 1975, has not been fully carried out. Other sources of referral and recruitment have not been successfully utilized and there has not been an effective effort to upgrade in-house. The Human Rights Commission does not receive notice of openings, terminations and reasons for them as per the agreement. Perhaps efforts can be made to contact new and more effective referral sources and to cooperate in training programs for cooks, bartenders, waitresses/waiters, etc., offered through the San Francisco Hotel-Restaurant Labor Management Education Fund which could be used more effectively by the restaurants as part of an active recruitment program for minority people. The success of this would depend on a definite commitment of jobs on the part of the restaurants and an accurate assessment of training needs.

Fisherman's Wharf restaurants are well-known throughout the U.S. They are part of the image of San Francisco, a City which is fast approaching 50% minority population. Whereas the restaurants have more than 50% minority employees, most of these employees are not visible to the patrons of the restaurants. The 4th quarter survey indicates the current workforce by race and sex, and new job applicants, terminations, promotions, upgrades and affirmative action file. The affirmative action file kept by each restaurant, is a record of minority and female applicants who are qualified but not hired or who could become qualified with a minimum amount of training. In some instances, the reported number of employees did not correspond with the reported number of employees did not correspond with the reported number of job assignments, because one person may have more than one job assignment.

Current HRC staff goals are to:

1. Increase contact with job recruitment, training and referral community groups active in the service area, such as the Bayview Hunters Point Manpower Development Program.

2. Make aggressive use of the complaint process when compliance by signators has not been adhered to.

3. Intensify individual contact with each restaurant.

4. Urge the restaurants, individually and collectively, to take advantage of the training that is offered through the San Francisco Hotel Restaurant Labor Management Education Fund, including apprenticeship programs, so that minorities and women can be hired into better paying positions and have a better chance for promotions and upgrades.

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Director Mickins reported that there continues to be great resistance by signator restaurants to completing and submitting the HRC agreement compliance questionnaires. One restaurant had delayed by morethan three months its reporting of its hiring and workforce action. The HRC, he said, has asked the Port Authority to try to use its influence in getting compliance. Some seven or eight complaints were filed by the HRC in the past year.

Wayne Redus, HRC Coordinator of Employment, stated that the HRC recently had:

1. Held the second contract compliance seminar meeting with community groups August 12th, and, in part, discussed how to work together to secure better compliance with the affirmative action agreements.

2. Expanded its work on complaint processing from mere technical violations to substantive violations of the agreement itself.

3. Upgraded its contact with the restaurants by dealing with owners and managers, rather than largely through bookkeepers who submit forms.

4. Re-emphasized the importance of restaurants participating more actively in apprenticeship and other training programs of the San Francisco Hotel Restaurant Labor Management Education Fund.

Statistical tables showing Ms. Thomas' report on these signators to the Wharf restaurant agreements can be available on request to the HRC.

- Commissioner del Portillo, on behalf of the HRC, commended Ms. Thomas on the thoroughness of her Fisherman's Wharf report.

- Rule of One/Rule of Three Issue

Commissioner Fine reported that the Committee discussed the recent Board of Supervisors' action placing on the November election ballot the proposal that the Rule of Three (in Civil Service hiring) supplant the Rule of One. This would permit City department heads and others who hire persons tested through the Civil Service procedure to choose one of the top three persons in scoring rank, rather than being required to hire the person with the highest rank. There is concern about the possible adverse effect the Rule of Three might have on affirmative action.

**** The HRC's Employment Committee took no formal action on this subject, but asked HRC staff to prepare a position paper to be brought to the full HRC later.

POLICE LIAISON
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- San Francisco Bar Association's Proposed Citizens' Complaint Procedures for the San Francisco Police Commission - Tom Gee, S.F. Bar Association.

Mr. Gee distributed copies of the 26-page proposal. Irving Reichert, Jr., Executive Director of the Bar Association, was present, and declined the invitation of the chairperson to address the HRC after Mr. Gee.

Mr. Gee discussed in some detail two or three of what he called the most significant changes the proposal would make on handling of citizens' complaints:

1. That investigations would be carried out by professional, civilian investigators hired through the Civil Service Commission, and not members of the Police Department. At the present time the latter do investigations.

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2. That both complainant and accused department members would have the right to a hearing before the administrative hearing officer. At present an investigation and report are made to the Chief of Police, through the findings of the Internal Affairs Bureau, and if there is more than ten days' suspension involved, it goes before the Police Commission, he said.

Mr. Gee stated that the Bar Association felt that there was a lack of community confidence in current police procedures, and also that no organization can effectively investigate itself.

Chief of Police Charles Gain declined an invitation to speak on this proposal.

It was

****m/s/c that the Human Rights Commission endorse The Bar Association of San Francisco's Proposed Citizens' Complaint Procedures for the San Francisco Police Commission.

- Committee Request for Permission to Seek Further Information on the White Panther Party Incident of July 12, 1974.

Chairperson Morrissey reviewed the recent involvement of the HRC in this issue, its seeking of the permission (as required by its Ordinance) of the Mayor to carry out an investigation and his refusal (in his appearance before the HRC July 8th) to grant such permission. The Mayor on July 8th did say that "while (he suggested that) the HRC not conduct such an investigation, which can be done by the Police Commission, the Chief of Police and a possible reform of the present system for such investigations, that the HRC can ask for facts from all parties to the incident, and it can once again present a counter-argument to his just-stated positions." (Excerpt from HRC July 8, 1976, Minutes Page 4.)

The Police Liaison Committee then re-considered the issue at its meeting of August 4th and brought a recommendation to this HRC meeting. The original recommended motion, with the wording brought from the Police Liaison Committee, was:

The Police Liaison Committee recommends to the Human Rights Commission that the Police Liaison Committee be granted permission to:

Request a meeting with the Chief of Police and the District Attorney, request a hearing with Police Commission, and that, based on the information the committee receives, it can decide whether or not to recommend that the Human Rights Commission pursue this issue further.

Initial discussion of this motion resulted in minor grammatical and construction changes to read:

That the Police Liaison Committee be granted permission to request a meeting with the Chief of Police, the District Attorney and the Police Commission, and that, based on the information the committee receives, it can decide whether or not to recommend that the Human Rights Commission pursue this issue further.

**** There were some 75 to 100 persons as observers at the HRC on this issue, many of whom commented, both with and without recognition from the chair. The names of only two are given, those who formally made statements.

Commissioners Lyon and Silva each had differing interpretations of the decision of the Police Liaison Committee at its August 4th meeting as to its action and the wording of its recommended motion. Commissioner Lyon felt the Committee intended to come back to the HRC with a conclusion on the issue.

**** It was then moved and seconded that the motion read: that the Police Liaison Committee request a meeting with the Chief of Police, the District Attorney and the Police Commission and that, based on the information the

committee receives, and additional information from the White Panther Party, that it return to the HRC with a report and recommendations.

There followed more than an hour of discussion before action was taken on the motion.

Commissioner Silva wished the motion to be amended to include the words "for the purpose of an investigation," holding that the issue had been referred a number of times since it first was discussed at the HRC in May.

Chairperson Mezey stated that the records show that the intent of the HRC at the time of its first action was to "request of the Mayor to investigate." The Mayor's permission was not given. When he came to the HRC July 8th he refused permission and asked for the HRC to come up with further facts. It was referred to the Police Liaison Committee for its recommendation on what further steps should be taken. The HRC, she said, has talked with Chief Gain and with the District Attorney's Office and learned that a formal complaint regarding the July 12th incident never has been filed by the White Panther Party with the Police Commission.

Commissioner Grafilo expressed his concern that action be taken at this point, rather than asking for additional information.

Chairperson Mezey stressed that the HRC does not officially have additional information.

Commissioner Silva distributed copies of a statement made by Travis Arthur Tapia of the San Francisco Police Department, on May 10, 1976 relative to the July 12, 1974 incident. He referred also to a statement he took from Ms. Miranda Nelson on July 29, 1976, relative to the incident, and to a tape of a broadcast made over Station K-101 "early in 1976" pertinent to this subject. He asked that this material be part of the record.

- Chairperson Mezey ruled that the chair would permit one member of the White Panther Party to speak for five minutes, Chief of Police Gain for five minutes, and one member of the general public for five minutes.

- Commissioner del Portillo suggested that there be public discussion at this meeting on the issue before final action was taken on the motion.

There was considerable discussion by Commissioners and some members of the audience about what the Police Liaison Committee had in fact intended to do at its August 4th meeting regarding the recommended motion and the issue of an investigation of the July 12th incident. Joseph Meza, staff for the Police Liaison Committee, said that the verbatim account of the August 4th meeting showed that the motion was in the form as brought on this date to the HRC. The main point of dispute appeared to center on whether the Committee itself intended to seek additional information as part of an on-going investigation (Commissioners Lyon, Silva, Grafilo and Yamakawa) or whether it would seek it (from the Chief of Police, the District Attorney and the Police Commission) and then recommend whether the HRC was to procede with an investigation.

Those differing with the former point stressed that the HRC did not have the required official permission of the Mayor to conduct such an investigation (Commissioners Morrissey, Mezey and Fine).

- Chief of Police Charles R. Gain addressed the HRC, speaking specifically to the motion on the floor. He stated that the Police Commission has never had this matter before it. He said he had met with Mr. Ron Landberg of the White Panther Party regarding some issues with no conclusions reached, with no specific charges presented and no request for an investigation has been made. He requested that any communication from the HRC be given directly to the Police Commission or the District Attorney but not to the office of the Chief of Police. He said he saw no purpose at this time for the Police Liaison Committee to meet with the Chief of Police. He suggested that the

the Committee not be given the authority to have a discussion or meeting with the Police Commission without specificity of the subject matter. He said he took the position that he could not meet with the Police Liaison Committee not out of a lack of wanting to cooperate, but seeing no purpose for the discussion.

Commissioner Morrissey responded by saying that he felt that the Police Liaison should have the authorization of the motion and that it could frame the issues clearly enough for the Police Commission and District Attorney and present the information for meaningful discussion.

Members of the audience spoke in opposition to seeking a meeting with the Police Commission.

Chairperson Mezey suggested that the HRC would lost its effectiveness entirely if it does not try to work with other commissions of the City.

Commissioner Fine commented that the heart of the matter was that by or ordinance the HRC cannot conduct an investigation without the Mayor's permission, which it has not obtained. He said the purpose of the motion was to build a body of information that would possibly change the Mayor's position and enable the HRC to proceed.

The question was called, and after a polled tie vote 5 to 5, Chairperson voted to move the question. The motion was read for the fourth time in full.

Dr. Shannon O'Callahan, an educator and former Roman Catholic nun, addressed the HRC. Dr. O'Callahan said she had come to this country because of her admiration for the protections of the Bill of Rights and the principle "innocent until proved guilty." She compared American police (actions) to what she called "Third Reich tactics." She said she has lived seven days with the White Panther Party and she considers its members the finest, idealistic, most dedicated young people she had ever work with. She said she was not present at the time of the July 12th incident. She pleaded for a stop to man's inhumanity to man.

Commissioner Fine commented that he was moved and touched by Dr. O'Callahan's statement and that the HRC supports her prayerful aspirations for America and this community. But he reiterated that the HRC requires the permission of the Mayor to move on this issue.

The Rev. William P. Miller, of the Hamilton Methodist Church, asked that the "re-constituted" HRC be courageous and "aggressive" to push the Mayor and Chief of Police to act on an incident which, he said, has waited two years for a serious review. He said he had witnessed the incident of July 12th and that the conduct of the police at that time raised "grave and serious questions." He said that "we have come to you as a last resort, because no one else would listen."

Commissioner del Portillo called for the question and it was ****m/s/c that the Police Liaison Committee be granted permission (by the HRC) to request a meeting with the Chief of Police, the District Attorney and the Police Commission, and that, based on the information the committee receives, and additional information from the White Panther Party, return to the HRC with a report and recommendations.

Commissioner Grafilo and Silva asked that their No votes be recorded.

Commissioner Grafilo commented that he felt the HRC was "working against these people." Commission Fine took exception, saying he felt the HRC was sympathetic and that, working within the bureaucracy, it was seeking to get to the legal means to continue.

Commissioner Yamakawa stated that his interpretation of HRC Ordinance Section 12A.5 subparagraph (f.) was that it does not need the permission of the Mayor to proceed. He said that his interpretation of the subparagraph was that the HRC cannot order information, services, facilities or other assistance from another department without the approval of the Chief Administrative Office or the Mayor.

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Chairperson Mezey said she hoped that this position had been stated before the vote was taken on the motion.

**** It was announced that the Police Liaison Committee will meet on Wednesday, August 18th, at 4 p.m. in the Commission Room of the Main Library. (NOTE: Subsequently this meeting was set for Tuesday, August 17th at 4 p.m. in the first-floor Lurie Room of the Main Library.)

Commissioner Morrissey said that he agreed with Commissioner Yamakawa but said that the HRC cannot have a full investigation unless it has the ability to ask questions and get answers from some of the City departments involved.

Commissioner Lyon said the motion gave the HRC a vehicle to take action with the information it had.

Commissioner Silva stated that he and many others had faith in the HRC. He said that "any point when law ceases to protect the individual, then human rights at that point supercede the law." He referred to 17,000 signatures of San Franciscans and others, to statements, etc., and requested that the HRC meet on Thursday, August 19th, the day after the Police Liaison Committee, to present the White Panther Party case and go to the Mayor with it and not go to the Police Commission, Chief of Police or District Attorney. He said that the urgency of the issue was that the "two people" (Tom Stevens and Terry Phillips, two members of the White Panther Party who are serving prison terms after conviction on charges growing out of the July 12th incident) could be released to work furlough as early as September, and that it was "not a question of their innocence or guilt" if the Mayor could "view the best interests of the community" and write a letter requesting their release.

Chairperson Mezey ruled this request, as a motion, out of order, on the basis of the action just taken.

Commissioner Fine urged that the Police Liaison Committee act with urgency on this matter.

Chairperson Mezey suggested that a formal letter be sent to Chief of Police Gain requesting the Police Liaison Committee meeting with him, despite his earlier statement.

Chief Gain again addressed the HRC briefly, requesting the Police Liaison Committee to first ask to meet with the Police Commission, and that if the latter asked him, as chief administrative officer, to meet with them (the Police Liaison Committee), he would do so.

- Commissioner Morrissey, on behalf of the Police Liaison Committee, asked Chief Gain that it be placed, with this issue, on the agenda of the next meeting of the Police Commission.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Recommended Endorsement of Assembly Bill 3947 (Hart) Enumerating Exclusive Causes for Suspending or Expelling Pupils.

Because AB 3947 was scheduled for consideration by the Senate Education Committee on August 11th, having passed the Assembly on June 18th, the Youth and Education Committee communicated its endorsement directly to the appropriate State Senators.

Commissioner Giles discussed this measure, quoting from the Legislative Counsel's Digest: "Under existing law teachers and principals may suspend pupils for various specified causes or for 'good cause,' generally."

"This bill would enumerate specific offenses which would be the exclusive causes for suspending or expelling a pupil. Such causes would be limited to offenses relating to damage to, or theft of, school or private property, infliction of physical injury to another person, possession or sale of weapons, possession or sale of drugs, alcoholic beverages, or intoxicants, possession or use of tobacco, commission of obscene or vulgar acts, and intentional defiance of school authorities.

"Under existing law, on or before the third day suspension, the parent or guardian of a suspended pupil must be requested to attend a conference with school officials.

"This bill would require that suspension of a pupil by the principal be preceded by a conference between school officials and the pupil, and that at such conference the pupil be informed of the reason for the disciplinary action, the nature of the evidence against him, and that the pupil be given an opportunity to argue against the validity of the suspension. Suspension could be imposed without affording the pupil an opportunity for a prior conference in 'emergency' situations constituting a clear and present danger to the lives, safety or health of a notice which school principals must mail to the parent or guardian of a suspended pupil within 24 hours of the beginning of suspension.

"This bill would prohibit any academic penalties being imposed upon a pupil during the period of suspension and would entitle a suspended pupil to make up all assignments and tests missed during the period of suspension.

"Under this bill, a suspended pupil could demand an appeals hearing before the superintendent or the superintendent's designee and could participate in regular classroom instruction pending the appeal hearing unless the principal determines that the pupil's presence causes a continuing danger to persons or property or an ongoing threat of disrupting the instructional process.

"Under this bill, a school principal or a hearing officer or administrative panel could recommend a pupil's expulsion from school for any of the enumerated offenses and the governing board, acting on such recommendations, could order the pupil expelled if it finds that the pupil has committed three or more offenses during one school year and violation resulted in a suspension, and other means of correction have failed to bring about proper conduct, or that the pupil has committed only one such offense but that his presence causes a continuing danger to the physical safety of the pupil or others."

Commissioner del Portillo stated that she was opposed to the endorsement of this measure because of her opposition generally to expelling students. She said she felt it was easy to document infringements and expel a student, but that it was more difficult to deal with the problems causing infringements. She expressed concern about the rules for expulsion. Commissioner Giles noted that local school districts have the authority to determine, for example, whether the use of tobacco could be cause for expulsion, and that the SFUSD (San Francisco Unified School District) does not do so. Commissioner Lyon commented that some of the specific causes listed in the proposed bill were vague, such as "obscene and vulgar acts."

It was

**** m/s/c that the HRC endorse AB 3947.

Commissioners Lyon, del Portillo, Alley and Zarour voted no.

- Commissioner Giles asked that any Commissioner who wished to make suggestions the HRC could submit along with its endorsement.

- <u>School District Response to the HRC Suspensions Report</u>.

Dr. Lane DeLara, Associate Superintendent of Instructional Services, in conjunction with Walter Phillips, Director of Pupil Services, and Juanita Smith, Supervisor of Elementary Counseling presented the SFUSD Staff Response to the April 8, 1976 HRC Recommendations on Suspensions.

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1. "Requests introduction in the State Legislature of legislation to revise the State Education Code as follows:

   (a) repeal suspension for truancy/cutting, and

   (b) encourage alternatives to suspension."

AB 3947, (see above HRC endorsement) does restrict the causes for suspensions and expulsions. Walter Phillips related that School District staff is seeking alternatives to suspensions and is trying to reduce the number of suspensions.

2. "Strongly recommends that the School District authorize the following studies:

   (a) reasons for the disproportionately high number of Blacks suspended,

   (b) reasons for the differential suspension rate in the different schools, and

   (c) the correlation between poor performance in school, suspension, and eventual drop outs."

Director Phillips observed that to do the indicated studies would require a massive and costly study of at least three years' duration. He also felt that there are many subjective factors which are difficult to evaluate. Dr. DeLara noted that there is a shortage of funds and staff and that staff cannot be released for research. If others can provide staff, Dr. DeLara would want to review possible research projects in order to select those most directly effecting instruction.

3. "Recommend that the Central Office (Elementary and Secondary Divisions) prepare and send out to parents and students in the beginning of each school year, multilingual information concerning:

   (a) acts for which students could be suspended,

   (b) procedures for suspensions,

   (c) rights and responsibilities of parents, and

   (d) rights and responsibilities of students."

Dr. DeLara stated that this recommendation was very timely inasmuch as State law now mandates it. District staff is in the process of preparing pertinent information so that parents will be made aware of their options. This information will not be mailed to parents because of the cost involved, but will be distributed through the students.

4. "Recommends that multilingual staff be available at school sites to ensure that all students and parents have equal access to the benefits of counseling services, conferences with staff, alternative education or other programs. Multilingual information regarding the availability of services shall be at each school site."

Dr. DeLara reported that the School District is actually doing this. Budget constraints have limited its implementation.

5. "Re-emphasizes the following previously-adopted HRC recommendations (made in November 1974) which have yet to be implemented by the San Francisco Unified School District:

   (a) the recording procedure in suspensions should be revised to include

      (1) a brief description of what actually took place, and
      (2) alternatives explored prior to suspension."

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Dr. DeLara, Walter Phillips, and Juanita Smith all actively support this recommendation and believe that it is an excellent suggestion.

(b) "the recording procedure should also include the ethnic identification of the administrator or teacher initiating the suspension."

Dr. DeLara opposes this recommendation as he sees no purpose for or benefit from this.

(c) "the Annual Report of Suspensions should include an evaluation of the effectiveness of suspension or its alternative in altering behavior or in reducing the occurrence of disruptive behavior."

Dr. DeLara believes that the Annual Report of Suspensions should only present statistical data. This data indicates in what direction trends are developing. Dr. DeLara stated that he did not know how to determine an evaluation of the effectiveness of suspensions on the basis of the data available to Pupil Services. Director Phillips noted that his office receives the suspension reports and then compiles the data. They are not in the position to analyze these reports in order to determine their effectiveness. It is the school site which can determine the effectiveness of suspensions.

Dr. DeLara observed that he would be happy to be invited back to the Committee in May. Director Phillips stated that he will submit a written report to the Committee as to what he has been doing in his three years as Director of Pupil Services.

Commissioner Giles reminded the Committee of one of its accomplishments in recommending that the number of suspensions be broken down by the number of suspensions per pupil. This recommendation has been incorporated into the Annual Report.

- Commissioner del Portillo suggested that the HRC enumerate ways in which the School District could be more creative and innovative in such areas as passing out material for parents. She called for a tangible, good faith effort from the District. She suggested that the HRC could find qualified master's degree or Ph. D students to do research as the District invited. She reminded the HRC that the number of minority group counselors is so small that there are only one or two in some schools.

Commissioner Giles reminded the HRC that it had turned down the request from the Youth & Education Committee that it be authorized to establish a Task Force to study reasons for and alternatives to suspensions.

Chairperson Mezey asked that the Committee take an active stand before the Board of Education that the Board establish such a Task Force.

Myra Kopf, President of the Second District PTA (Parent-Teachers Association), and a member of the Youth & Education Committee, addressed the HRC.

Ms. Kopf encouraged the HRC to take an "aggressive" stance on the matter of suspensions. She said she felt that the report (by Commissioner Giles) showed that the District intends to keep "pretty much the status quo." She asked the HRC to address alternative points of education and training programs that perhaps would prevent behavior that leads to suspensions. She urged the HRC not to "continue to write, read and respond to reports," and expressed her conviction that administrators (of the District) must be convinced that "you educate all kids and don't eliminate the ones that are difficult to deal with." She said the HRC is trying to change the attitude of the District.

Chairperson Mezey referred these comments to the Youth & Education Committee for suggestions as to the kinds of action that the HRC can take to implement the formation of the Task Force by the School District. She asked Vice-Chairperson Yamakawa to serve the Committee in this matter.

At this point, Chairperson Mezey introduced Ms. Aida Monares, the newly-appointed Program Manager in the Mayor's Office, who will become the Mayor's liaison with the Human Rights Commission, the Civil Service Commission, the Board of Education, the Board of Permit Appeals, the Economic Opportunity Council and Mental Health Services.

Ms. Monares said that she hoped to work closely with the HRC and its staff, and encouraged them to establish communication with the Mayor's Office. She offered her cooperation and assistance and said she was aware of the problems and workload of the HRC.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Proposed HRC Letter Concerning Investigation by Governor's Extradition Secretary of the Case of Cecilia Gonzales.

The Women's Litigation Unit of the Neighborhood Legal Assistance Foundation brought this case to the Committee. It concerns a 20-year-old Chicana lesbian, who three years ago was arrested in a shooting incident in Colorado and pleaded innocent by reason of insanity. After three years in a mental institution in Colorado and various court actions, she escaped early this year and came to San Francisco. She has been arrested here and is being held on an extradition order from Colorado. Commissioner Lyon said that, without knowing all the details of the case, the committee would recommend an investigation of this case in California.

It was

**** m/s/c that the HRC authorize the sending of the following letter:

Alice Lytle
Extradition Secretary
Office of the Governor
Sacramento, California 95814

Dear Ms. Lytle:

The case of Cecilia Gonzales, a S.F. resident, has come to the attention of the Human Rights Commission of San Francisco. We understand that this case involves the treatment of a young, Chicano Lesbian in the criminal justice and mental health systems. We support a thorough investigation of this case by the Extradition Secretary and would appreciate being informed of the disposition of this case.

Sincerely,

Caryl Mezey
CHAIRPERSON
Human Rights Commission

- The Committee will report on the results and findings of its public hearings at the HRC meeting of September 30th.

ADMINISTRATIVE
David I. Yamakawa, Chairperson

- Further discussion of the funding proposal to The San Francisco Foundation.

In the interests of time, this matter was taken off the agenda.

- Formation of a Labor Advisory Committee to the HRC.

The Committee ratified the letter written by Director Mickins to the San Francisco Labor Council, and will consider the matter further before making a recommendation. Chairperson Mezey asked Commissioners Alley and Grafilo to participate in meeting with labor representatives regarding establishing this advisory group.

- Evaluation of HRC evening meetings.

The HRC held three experimental evening meetings, in April, May, and June. The Committee noted that the attendance and participation by the public in these meetings did not vary whether they were in the day or evening hours, and that, as at this meeting, large numbers of people turn out when there is an issue of wide interest. The Committee also noted that until the HRC has completed compilation of its priorities for activity and workload, it would be premature to establish new meeting hours and places. Also agreed upon was that standing committees, being the places where issues and speakers hold in-depth discussion, can hold, when necessary, meetings in the evening and in various community locations. Lastly, it was agreed that when issues of great community concern occur, the full HRC can easily schedule special meetings at special times and places for the widest possible participation. Therefore, the Committee recommended that no change be made in the regular meeting time and place of the HRC.

- Exploration of the possibility of establishing a policy for individual Commissioner action following official HRC action.

This discussion was on the matter of what the responsibilities of an individual commissioner are when the HRC takes action with which he or she may or may not agree. There was a concern over having the integrity of HRC action eroded by comments afterward from individuals. The Committee decided, however, not to recommend a specific policy, but they felt this was a matter which should be brought to the attention of the HRC as individuals.

- There was considerable discussion around the table on Commissioner Morrissey's request that the HRC hold meetings at other than working hours. Commissioners Mezey, Giles, Silva and Grafilo took stands favoring retention of the morning meeting at the Main Library, noting that standing committees were already doing this in many cases.

It was

**** m/s/c that the HRC accept the recommendation of the Administrative Committee and retain its regular meeting time and place, the second and fourth Thursdays of each month at 9:15 a.m. on the Third Floor of the Main Library in Civic Center.

It was agreed that if several Commissioners feel there is a particularly important community issue, they could request a special meeting time or place.

DIRECTOR'S REMARKS

- The appeal hearing on the Finding of Noncompliance by the HRC Panel in the case of The Pride Foundation vs. Pacific Telephone and Telegraph Company will be held at 9:30 a.m., on Tuesday, September 14th, in the Commission Room of the Main Library.

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- A date will be announced in the near future for the Appeal to the HRC Finding in the case of minority truckers vs. Peter Kiewit Sons.

- An HRC staff report and guidelines will be forthcoming on meetings held with unions, the director of the City's upcoming huge sewer construction project and contractors. The HRC will be monitoring these contracts for compliance with the Nondiscrimination Ordinance and is concerned with minority contractor participation in this project.

- Staff Changes.

Joseph Meza is working as an assistant to the Director.

George Man, formerly an HRC Civil Service Recruiter, has left the staff to join a drug counseling project, Youth Service and Coordinating center in Chinatown.

Carlos Carillo, for four years an HRC Community Liaison Worker, has resigned to enter medical school at the University of Colorado.

General Manager Bernard Orsi, of the Civil Service Commission, has withdrawn his original suggestion that he establish a recruiting team in his office.

Two of the former HRC Recruiters, Coke Anoai and Doug Yamamoto, are being trained to do HRC contract compliance work.

- Director Mickins said that the HRC's Administrative Committee will be dealing with the concerns of community groups such as the Japanese Community Services, Inc. (see Communications section of these Minutes) in regard to recruiting.

Chairperson Mezey said that the HRC needs to set another meeting exclusively to discuss the changeover to contract compliance work and the other functions in the fields of housing and community liaison, for example, with the HRC determining the range and scope of all its work in order to respond to community pressure. Commissioner Fine noted that the Yerba Buena and City sewer project are two significant areas in which the HRC can play a major role. Chairperson Mezey said staff is now preparing a report to the Mayor's Select Committee on Yerba Buena on HRC involvement in the past, its jurisdiction, the kinds of agreements worked out in the past with the Redevelopment Agency, etc., so that the City monitoring be the same as the federal monitoring. This will be a part of hearings on adoption of a Yerba Buena plan next week.

- Several Commissioners agreed to meet informally after the adjournment to discuss the current status of the International Hotel issue.

NO NEW MATTERS

NO FURTHER REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, September 16, 1976 at 9:15 a.m. in the Third Floor Commission Room of the Main Library. The September meetings on the 16th and 30th, the third and fifth Thursdays, are exceptions to the regular second and four Thursdays, because of September 9th being Admission Day (the second Thursday) and a legal holiday.

STANDING COMMITTEES

Employment	Thursday, September 2, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, August 19, 1976 3:30 p.m. Thursday, September 2, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Police Liaison	Tuesday, August 17, 1976 4 p.m. Lurie Room, First Floor, Main Library Wednesday, September 1, 1976 4 p.m. Commission Room, Main Library
Social Programs	Tuesday, August 17, 1976 10 a.m. HRC Office, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, September 7, 1976 12 Noon HRC Office, Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To Be Announced

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa

Attachment - Fisherman's Wharf Affirmative Action Agreement Annual Report to HRC

8/19/76

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of September 16, 1976

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* NEXT MEETING: September 30, 1976
* Thursday - 9:15 a.m.
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* LURIE ROOM, FIRST FLOOR
* Main Library, Civic Center
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NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Carlota del Portillo, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, William Wesley, David K. Yamakawa, Jr., Nadim M. Zarour

Excused: Lillian Sing

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Med Claveria, Joe Daly, Carole Ellison, Luis Escobar, Carolyn Hom, Stanley Lim, Joe Meza, David Prowler, Wayne Redus, Gail Roberts, Emmett Rosebrough.

Pledge of Allegiance

Minutes of August 12, 1976 approved.

COMMUNICATIONS

- From the Board of Supervisors, a copy of an amendment to the San Francisco Administrative Code requiring a response in writing by officers, boards or commissions receiving written inquiries from the Board of Supervisors.

- From D. W. Smith, Associate Warden, Administration, California State Prison at San Quentin, thanking the Director for his agreement to participate on the affirmative action panel of the annual CBCC conference at the Oakland Airport Hilton Inn on October 1, 1976.

- From Joyce Ream, Director, Women's Program, Coro Foundation, thanks to Gail Roberts of the HRC staff for assisting Julienne Chiang as an intern at the HRC for three days in August.

- From Leon T. McCarthy, Speaker of the California Assembly, thanks for the HRC support of Senate Bill 1605, for which a hearing was set for August 5, 1976 in the Committee on Education of the State Assembly.

- From Frederick E. Jordan, P.E., President, Western Association of Minority Consulting Engineers, a roster of the association members.

- From Marian Lippman, Chairman, Jewish Community Relations Council, a Xerox copy of a letter to Governor Edmund G. Brown, Jr. expressing shock at the failure of the State Legislature to pass AB 3124 (which would have expanded some of the affirmative action powers of the State Fair Employment Practice Commission). The HRC also had supported this measure.

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- From Robert A. Lurie, Co-Chairperson, and others of OBECA (Organization for Business, Education and Community Advancement), thanking Director Mickins for being a member of the dinner committee for a dinner on September 29, 1976.

- From Lorraine Copeland, Director, Project Rape Response, Queen's Bench Foundation, asking for clarification of an earlier HRC staff letter to the Association of Bay Area Governments, to which the Foundation had applied for funds for Project Rape Response.

- From Eleanor Miller, President, San Francisco School Volunteers, notifying Commissioner Giles that she has asked Judy Miller to serve on the Youth and Education Committee for the 1976-1977 school year.

- From State Senator Peter H. Behr, notifying that AB 3947 (relative to student discipline) which the HRC had supported, failed passage in the Senate Education Committee on a tie vote of 5 to 5.

- From State Senator Jerry Smith, also in reference to AB 3947, which he supported.

- From Henry Der, Executive Director, Chinese for Affirmative Action, asking the HRC to join it in urging President Ford to rescind his recent Executive Order prohibiting the employment of aliens by the federal government.

- From Mrs. Doris Sams, Controller, The San Francisco Foundation, regarding unused funds from a 1972 grant to the Human Rights Commission for a multi-ethnic evaluation of school textbooks.

- From Mrs. G. Gordon Bellis, President, The Junior League of San Francisco Inc., announcing the appointment of Jeanette Dunckel as a second-term member of the HRC's Youth and Education Committee, and of Jane Vaccaro as a member of that committee also.

- From Justine (Susie) Suafai, Director, Women in Apprenticeship Program, Advocates for Women, commending the HRC for changing the San Francisco Construction Affirmative Action Plan to include goals and timetables in apprenticeship for women.

- From Jim Denman, Undersheriff, Office of the Sheriff, expressing gratitude for the assistance given by David Prowler to the Sheriff's Department in matters relating to the possible eviction at the International Hotel. Mr. Denman said he and Sheriff Hongisto were deeply impressed with Mr. Prowler's "...honesty, compassion, sensitivity, judgement and fairness.." and said the HRC could not have sent a better representative.

- From Pat H. Luce, Acting President, State-wide Unit, Office of Samoan Affairs of California, Incorporation (sic), Sacramento, asking HRC assistance in communicating with the San Francisco Chronicle in reference to "...various articles casting degrading remarks about the Samoans." Mr. Luce referred particularly to an alleged derogatory item Herb Caen carried in a column September 8 "...in which he held the Samoan Community up to ridicule." See reference to this letter, which was referred to the Social Programs Committee, under New Matters/Director's Remarks at the end of these Minutes.

- From U.S. Senator Alan Cranston, informing that the federal Indochinese refugees program has been phased out, but that he has asked Senator Daniel Inouye's subcommittee to give favorable consideration to a White House request for continued funding of the Indochinese Assistance Act (reimbursement to states and localities for assistance and social services, etc.).

- From State Assemblyman Gary K. Hart, informing that AB 3947, relative to school suspensions, had died in the Senate Education committee, but that he intends to introduce similar legislation next year.

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COMMITTEES

POLICE LIAISON
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- Report on the Police Liaison Committee meeting August 18th with the Police Commission. - Commissioner Herring

The Police Commission tabled the Police Liaison Committee's request for their cooperation in an investigation of the White Panther Party's July 12, 1974 incident, and recommended instead that the complainants make formal complaints to the Police Commission against any individuals they accuse of any wrongdoings in connection with any incident, including the incident of July 12, 1974.

Members of the White Panther Party were not scheduled to appear at this meeting and they were not present.

On recommendation of the Police Liaison Committee, and after reading in full, it was

**** m/s/c that the matter of the allegations of the White Panther Party be referred to the HRC staff for its assistance in framing specific allegations pertaining to the July 12, 1974 incident in respect to activities of members of the Police, Fire and Recreation and Parks Departments.

EMPLOYMENT

Alvin I. Fine, Chairperson
David Yamakawa, Co-Chairperson

- It was announced that Commissioner Fine and Commissioner Yamakawa will exchange titles and duties for the Employment Committee.

Report on the Revised HRC Affirmative Action Program for City Construction - Stanley Lim.

Wayne Redus, HRC Coordinator of Employment, reported that Mr. Lim's report is the latest staff revision of the operating affirmative action program for construction projects. The HRC ordinance does provide for annual review of affirmative action plans to keep current with case law and federal, state and local legislation.

Mr. Redus stressed two new specific areas of improvement:

1. The setting of quantitative goals and timetables for women in apprenticeship.

2. Expansion of opportunity for minority entrepreneurship.

Mr. Lim then gave a chronological report on the revision process. Under the Non-Discrimination Ordinance (Administrative Code, Section 12B.4) the Human Rights Commission may renew and revise its affirmative action guidelines in each twelve-month period. Staff has done that in the past in response to changes in local or federal regulations. The present affirmative action program for City construction contracts was last revised in the summer of 1974 and went into effect on October 1st of that year. This program has been effective in achieving substantial mibority participation in City contracts. It has also met the requirements imposed by the federal government for application to those contracts involving federal funds. In fact, it was recommended by the Department of Labor's Office of Federal Contract Compliance as a replacement or an extension of the "San Francisco Plan."

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Since 1975, other important developments have emerged in the field of contract compliance: the increasing interest of minority businesses bidding government contracts as evidenced by the large number of minority contracting groups formed; and, the growing number of women interested in nontraditional fields of occupation such as construction. For example, the California Apprenticeship Council on January 30 this year amended the California Plan for Equal Opportunity in Apprenticeship to require each program sponsor (Joint Apprenticeship Committees established by respective unions) to develop "significant, measurable and attainable" goals for women apprentices beginning in 1977.

Although the HRC is not bound legally by any outside action unless it affects City contracts directly, its commitment to assuring equal opportunity in employment as well as in economic development in City contracting requires it to meet the new challenges. To aggressively address these needs, the HRC again is taking the initiative to broaden its program and expand its area of coverage despite its still limited resources.

In early April of this year, staff began drafting the revised version of the program. A conference with representatives of all of the City's awarding agencies was held May 4th. Suggestions from these contract awardees were made part of the program. A staff hearing at the Civic Center Library followed on Juune 22nd in which more than twenty speakers, representing as many organizations, presented their views before a panel composed of the HRC Director, the Employment Coordinator and Mr. Lim. Those appearing included representatives from minority contracting groups such as ASIAN, INC., the Minority Contractors Association of Northern California, the Associated General Contractors of California, the San Francisco Building Trades Council, Apprenticeship Opportunities Foundation, Women Apprenticeship Programs of Advocates for Women, and several individual contractors. Some of the speakers at the preliminary and second meeting also submitted written suggestions to improve the proposed program, some of which were incorporated into the final draft.

In the course of consultations with awarding departments and community and contracting groups, special recognition was given to projects to be built under the Waste Water Program (Sewer Relocation and Enlargement). Because of the magnitude and the unique features of the project it was agreed by the HRC and the Waste Water Management office that separate goals for minority contractors' participation shall be established.

Many delays in completing the program revision prevented the HRC from implementing the new program with several large contracts advertised for bids in July and August.

The program in its final form was presented to the Employment Committee on September 2nd.

Highlights of the Revised Program: In the revision process, the HRC has retained those areas still effective, such as the nine affirmative action steps required of contractors, and goals and timetables for minority employee utilization. The program's basic structure remains intact. Among the changes are: a) language to achieve better ethnic balance in City construction, b) goals and timetables for participation of women apprentices. These goals are based on interest and availability but the HRC will require a minimum of 7% for 1976 to 15% in 1979, and c) minority entrepreneurship goals.

Taking into consideration the availability and bonding capacity of minority contractors in this area, for general building construction, a declining scale from 25% minimum to 10% depending on the value of the contract will be the required goal. This goal does not apply to School District earthquake-proofing-contracts as there is a minority contractors participation plan in force. For contracts involving heavy construction such as the Waste Water Program projects, separate goals but not substantially less than general building projects goals will be established on an individual contract basis.

As in the normal monitoring process, goals, whether applied to employment or entrepreneurship, will be construed as minimum requirements when the contractor's commitment is evaluated. The HRC will retain the right, as it always has, of approval or disapproval of these requirements.

The revised Affirmative Action Program, contained in detail in the Notice to Bidders provided by the HRC and including statistical goals spelled out, will be retained for one year, after which the HRC will again evaluate them and make revisions and changes as necessary.

Mr. Lim pointed out that the minimum goals for the employment of minority persons and women apprentices are for the years 1976 through 1979. For minorities they are grouped in two trade listings, with ranges over the four years from a low of 27% to a high of 50%-plus. Women apprentice goals in building trades start at 7% for 1976 and range up to 18% through 1979.

Mr. Lim noted that the building trades occupation list had been expanded to include boilermakers and millwrights for the first time.

In the section of the Program establishing goals for equal opportunity in entrepreneurship, the HRC had found a substantial number of minority contractor firms which can perform general building construction contracts. In six groupings, by contract range amounts beginning with $250,000 contracts up to $25,000,000 and over, goals (which the HRC interprets as minimum requirements) range from 25% at the lower end to 10% for contracts between $15 million and $24,999,999.

For minority entrepreneurship participation in heavy construction (tunneling, large sewer work, etc.) separate goals and timetables have been set. Those goals shall not be substantially less than for the general construction contracts.

Employee utilization will apply to the San Francisco Unified School District, the Public Utilities Commission, the Airport, the Department of Public Works, etc.

Mr. Lim responded to a number of questions for clarification from the members of the HRC.

It was pointed out that the 1970 U.S. Census ethnic population breakdown figures are most generally in use in the City, but that the HRC did have an updating as far as July, 1973, from figures published by the State Department of Finance and Employment Development Department. Commissioner Yamakawa suggested that these figures be attached to the Notice to Bidders.

Commissioner del Portillo asked why such a modest step increase for the years 1976 through 1979 of only 2% each year had been set, rather than 3 or 5%. The basis used in setting these goals, Mr. Lim replied, is the actual minority participation on City construction contracts monitored by the HRC for the years 1973-1975, plus the continuation of the rate of growth established in the past four years, including the increase in minority apprentices. Goals for women apprentices are based on current and project availability, current and projected participation and a need for stimulating increase in both the availability and participation of women in apprenticeship. Goals are construed as minimum requirements by the HRC in evaluating a contract bid, however.

The use of the category wording "Asian-American" (but not Spanish-American, Black-American, etc.) was questioned, but Mr. Lim said that this was the wording preferred by the Asian community.

Commissioner del Portillo said that her concern was that setting low goals did not provide enough of a challenge to employers and employment training recruiters.

- Initial Architectural and Engineering Report for the Wastewater Master Plan for San Francisco - Carolyn Hom.

Ms. Hom's extensive report, accompanied by supportive statistical tables (attached to these Minutes for reference from this text) covered three firms selected for individual water pollution project with which she had worked. Since completion of her report, she has expanded her responsi-

bility to include eight firms, which will be working on this vast, billion-dollar project for from six months to several years.

Major City contracts for architectural and engineering projects awarded by the Department of Public Works have been generated recently by the San Francisco Wastewater Master Plan. San Francisco is responsible for water pollution control and is under regulatory action of the Regional Water Quality Control Board, the State Water Resources Control Board, and the U.S. Environmental Protection Agency. The wastewater management program has been developed by the City as an effective means of achieving water quality goals and meeting the requirements of the enforcement agencies.

More than $182 million for the first projects in the City's Wastewater Master Plan has been granted for North-shore consolidation. Channel outfall consolidation Islais Creek consolidation and design grants for Westside projects. These sewer projects will build nearly 9 miles of sewer and 3 pump stations. However, these projects are only the initial phase of the overall massive San Francisco Wastewater Master Plan coordinated by Richard Sklar and implemented by selected architectural and engineering consultants and the Bureau of Sanitary Engineering. The sewer projects are aimed at consolidating sewage flow, intensive treatment of sewage and improvement of water pollution discharge into the Bay and ocean.

All architectural and engineering firms selected to work on the City Water Pollution Projects are required to have an affirmative action plan approved through the HRC which will insure nondiscrimination of employees on the grounds of race, color, religion, ancestry, national origin, sex or sexual orientation.

An overwhelming number of architectural and engineering firms responded to the Department of Public Works' request for water pollution bids. As a consequence, the HRC and Bureau of Sanitary Engineering, in a cooperative effort,have established a close relationship to facilitate the transmittal of information and final selection of consultants for each project.

Survey - Statistical Data (See attached tables)

Architectural and engineering statistical information for this report is based upon data submitted by three firms selected for individual water pollution projects. The three firms, CH_2M HILL, INC., Hardison & Komatsu and Kennedy Engineers, have been involved in negotiations for formulation of affirmative action agreements, Goals established for each individual firm resulted from a careful analysis of the workforce and present progress exhibited by the firm.

Individual interviews with the three firms indicated areas of concern common to all the firms. Minorities and women architects and engineers continued to be poorly represented. As one alternative for improvement, the Human Rights Commission encourages the use of referral organizations that are in contact with qualified minorities and females employed on the professional and technical level.

The Bay Area Engineering Societies' Committee for Manpower Training (ESCMT) is one organization involved in training minorities and women in technical and professional categories. The HRC has been working with ESCMT for more than five years. The program actively provides engineering career information to students in high schools, counseling, scholarships, on-the-job training for program participants, and summer/full-time employment referral and placement services for job-seekers. ESCMT provides an opportunity for minorities and women to "explore career interests in engineering and acquire work expertise within a supportive setting." Some students, after graduation from the program, have pursued further education in Bay Area colleges and universities in preparation for employment as professionals, Thus, ESCMT can provide the impetus that will enable minorities and females to receive training in a technical field and eventually create a source of qualified technicians and professionals.

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Participation with ESCMT has been incorporated within each of the three firms' affirmative action agreements. Both CM_2M Hill, Inc. and Kennedy Engineers have affirmatively implemented their workforces by active recruitment and hiring qualified candidates as openings occur. In addition, CH_2M Hill Inc., recently employed an engineer recommended by ESCMT and Kennedy Engineers contributed to ESCMT's scholarship fund.

A total of 100 individuals employed by the three firms based on figures submitted for 1975. Minority and female percentages remain low. There is an 11% showing in the Officials and Managers Category because one of the nine principals in an architectural firm is Japanese. The statistical data is limited to these three firms. (SEE TABLE III)

Minority representation in the various job categories ranged from a low of 11% to a high of 44%. Only 11% of the managerial level and 17% of the professional level are minorities. This follows past trends in which minorities are poorly represented in the upper levels of architectural and engineering firms. Asians constitute all of those represented at the managerial level and 64% of the minorities on the professional level. The number of non-Asian minorities overall in these two categories is extremely low. Thus greater effort is necessary to train and recruit non-Asian minorities for these fields. (SEE TABLE IV)

There is no female representation on the Officials and Managers level. On the professional level, there is an 4.7% representation and for technicians a 9% showing. The statistical data indicate females are significantly under-represented on the technical and professional levels and heavily concentrated on the staff support level. Although architectural and engineering firms have traditionally employed more women for clerical areas it is important that women be given the opportunity to train and work as technicians and professionals. (SEE TABLE V)

Based upon these statistics, the number of non-Asian minorities and females on the professional and technical levels is still a major concern. First of all, active recruitment and hiring is crucial for implementing change. Secondly, upgrading is necessary to insure career advancement.

Conclusion

The total cost for the San Francisco Wastewater Master Plan is estimated at more than $1 billion. Funding for the water pollution projects is derived from federal grants (75%), State grants (12.5%) and the City (12.5%). However, the cost of land and right-of-way is not eligible for grants, therefore local cost of the total program will be between 15% and 20%.

On January 18, San Francisco was placed on probation by the Regional Water Quality Control Board for violation of sewage effluent standards. On May 19, a partial building ban was imposed upon the eastern half of San Francisco affecting the Southeast and Northpoint sewage plants. The entire area east of Twin Peaks, including at least six major downtown building projects, would be affected. The long-range effects of such a ban could result in a loss of jobs and millions of dollars to the construction industry. Recently, the ban has been eased to allow approval of building permits on a monthly basis. On July 20, 46 building permits worth $10 million were approved to City contractors.

Significant progress of the San Francisco Wastewater Plan and its various water pollution projections in meeting completion dates will be an influential factor in promoting a lifting of the building ban. Also, delay would be deleterious because a congressional bill which may be approved this year would lower federal support from 75% to 60%. A $240 million water pollution control bond issue will be placed on the November ballot. A study prepared by the City consultants, Stone and Youngberg, indicates that revenue bond financing is a feasible option. Based upon present actions and efforts of the San Francisco Wastewater Master Plan a lifting of the building ban in the near future is foreseeable.

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CH_2M Hill, Inc., Hardison and Komatsu and Kennedy Engineers have worked closely with the HRC to ensure the development of an effective affirmative action approach. The management consulting firm of Daniel, Mann, Johnson, and Mendenhall, has been selected by the City to provide management information and supervision of the various water pollution projects. Brown and Caldwell and PBQ and D have been selected as finalists for two water pollution projects. The HRC has begun negotiations with DMJM, Brown and Caldwell and PBQ and D for compliance with City affirmative action requirements. Additional architectural and engineering firms will be selected as the City implements the wastewater program.

Priorities for architectural and engineering firms include active recruitment and hiring of minorities and women on the professional and nonprofessional level, full utilization of referral organizations, and participation with on-the-job training programs.

It was emphasized that the HRC has devoted a great deal of staff time to this vast project, the largest public works endeavor in the City's history, which is seen as the means for greatly affecting employment, especially for minorities.

Ms. Hom also stressed once again the problem areas in minority and women's participation in employment, noting that these two groups continue to be poorly represented, and that non-Asians need to be more actively recruited, trained and upgraded. No women hold any officer or managerial positions in the three firms covered in her statistical report.

Ms. Hom responded to some questions from the HRC members.

In ensuing discussion, the subject of the bond initiative proposal on the ballot for the next City election was mentioned and it was

**** m/s/c to consider HRC endorsement as a new, nonscheduled agenda item.

It was then

**** m/s/c that the HRC endorse the passage of the bond measure, which would authorize the bonding to provide the funds necessary for the City's required 12.5% portion of the total Wastewater Master Plan cost.

Ms. Hom was praised for the thoroughness of her report. It was pointed out how vital Comprehensive Training Employment Act funding is to the HRC staffing, since her position is made possible by CETA.

- Staff Report to Mayor's Select Committee on the Yerba Buena Center.

Wayne Redus briefly reviewed a letter written by the Director August 23, 1976 to R. Dan Gardner, Director of Staff, Yerba Buena Select Committee, detailing the HRC involvement since 1965 in the project development focusing primarily on the areas of employment and housing. It was pointed out that HRC staff and Commissioners have "...played a crucial, and, most times, central role in the development of..." YBC-related issues.

Commissioner Grafilo reported that he (as a member of the Select Committee) had the final report of the committee from Judge Leland Lazarus, its chairperson. The committee will not be meeting again and its recommendations will be considered by the Mayor's Office and the Board of Supervisors.

- Chairperson Mezey suggested that the HRC postpone discussion of the Mayor's Policy Statement on Yerba Buena Center to appear on the City ballot until copies of the statement could be circulated to them and studied before the next regular meeting.

- The Employment Committee will discuss the issue of the Rule of Three (as proposed on the City ballot regarding Civil Service employment policy) at its meeting on October 6th.

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- Tuesday, October 12th, at 9 A.M. in Room 1194, State Building, 455 Golden Gate Avenue, was set for the continuation of the full Commission hearing in the case of The Pride Foundation charges against Pacific Telephone & Telegraph Company. The first hearing was held from 9 A.M. until 3 P.M. September 14th and was continued. Participating were Commissioners Alley, Giles, Fine, Grafilo, Silva, Morrissey, Wesley, Lyon, Silva, and Zarour. Commissioner Mezey presided.

Chairperson reminded members of the HRC that they are not to discuss this issue outside of hearings.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Resolution regarding Task Force on Suspensions - Commissioner Wesley

This matter had been referred back to the Youth & Education Committee by Chairperson Mezey following the HRC's June 10, 1976 meeting. At that meeting the HRC had adopted a recommendation "that the Board of Education create a Task Force on Suspensions (as outlined in the memorandum of the Youth & Education Committee to the HRC dated June 4, 1976, on the same subject and including the recommendation that the task force be broadly-based reflecting the community groups listed in the memorandum), and requesting a reply within a reasonable time whether it intends to do so, in order for the HRC to act on it if the School District does not."

On May 20th, the Youth and Education Committee had proposed seven specific objectives for the proposed task force.

Commissioner Wesley at this meeting read in full a proposed Youth and Education Committee resolution on the Task Force on Suspensions, adding that a body be appointed by the Board of Education to monitor progress on the HRC recommendatons accepted by the Board, and calling for the majority of the task force to be from the community.

Commissioner Wesley said the committee was particularly interested in there being investigation of reasons for the disproportionate ratio of Latino and Black student suspensions, and a study of the alternatives to suspensions. It was asking he said, that the initiative be taken by the School District for the coordination of the task force.

There followed considerable discussion by Commissioners on the proposed resolution just brought by the Committee as it related to the June 10th seven-point program and the recommendation adopted then. Chairperson Mezey said her referral back to the Committee had been for it to initiate an action plan to get response from the Board of Education rather than write a new resolution.

Commissioner Giles gave a summary of action on this issue (proposed task force on suspensions) in the past several months. She said the most recent resolution as proposed was a re-affirmation of the June 10th action, with the addition of calling for a monitoring body to be appointed.

**** Chairperson Mezey relinquished the gavel to Commissioner Lyon for this discussion period.

Ms. Myra Kopf, president of the Parent Teachers Association, addressed the HRC briefly from the audience, saying that there is concern on the Youth and Education Committee that the School District "cannot investigate itself" and for this reason many people wished for the Human Rights Commission to establish the task force. She said there was a concern that a School District-appointed Task Force would not be truly representative of the community.

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She said also there was an "unduly high percentage" of suspensions of Black students.

Mr. Fred Perry commented from the audience his reaction to Ms. Kopf's last statement by saying, "You are constantly using Black people as an object of contempt."

Acting Chairperson Lyon pointed out that the discussion was on the resolution at that point and she ruled Mr. Perry out of order.

It was

**** m/s (Commissioner Wesley) that the HRC accept the proposed resolution from the Youth and Education Committee.

It was

**** m/s/c (Commissioner Mezey) as a substitute motion, that the HRC re-affirm its resolution of June 10, 1976, that it initiate action to see that the intent is carried out by the Board of Education, that the HRC offer staff help through a student intern from the Westmont College Urban Program and that when a report has been made by the task force that the School District name a committee to monitor progress of the task force.

There followed considerable discussion on these two motions, and on a show of hands, the substitute motion was passed 10 to 1 (Wesley).

Gail Roberts replied to an inquiry from Commissioner Giles that she had a meeting scheduled for September 17th with Dr. Lane DeLara, Associate Superintendent, Office of Instructional Services to discuss the work of two student interns assigned to the HRC.

**** Chairperson Mezey designated Commissioner Yamakawa to represent the HRC at the School District when establishing the task force is to be discussed.

- Report on Summer Youth Program

This report from the Mayor's Office of Employment and Training covers the 1976 Summer Youth Program (SYP) with details on financing, agencies involved and job allocations. A final report, however, will be forthcoming.

ADMINISTRATIVE

David Yamakawa, Chairperson

- Review of June 10, 1976 HRC Actions Establishing Priorities in Contract Compliance Enforcement.

The Committee reviewed this action (whereby, in response to a number of community job referral agencies, the HRC ended its job recruitment and referral functions) from the standpoint of assuring that these functions are now being adequately handled in the community. There will be a recommendation on this issue later from the Committee.

SOCIAL PROGRAMS

Dan Silva, Chairperson

- It was announced that Commissioner Alley and Zarour will join this Committee, and that Commissioner del Portillo has resigned from it.

DIRECTOR'S REMARKS

- The HRC has been asked to co-sponsor, with the San Francisco and Oakland Unified School Districts an affirmative action conference for development of minority entrepreneurship on October 6 and 7 at Del Webb Towne House, at 8th and Market Streets, San Francisco.

It was

**** m/s/c that the HRC co-sponsor this conference. HRC staff and Commissioners will participate through technical information and possibly presentations.

- The 1975 Grand Jury report on the HRC was read in full:

COMMISSION ON AGING; DEPARTMENT OF SOCIAL SERVICES;
HUMAN RIGHTS COMMISSION AND COMMISSION ON THE STATUS OF WOMEN

Human Rights Commission:

The HRC, lacking actual departmental responsibilities and authority, has nonetheless become a force in the community on behalf of affirmative action and fairness.

The Commissioners, extremely varied and energetic, are a forum and an advocate for racial, ethnic and sexual minorities. In San Francisco, where minorities are nearly a majority of the population, the HRC finds a large and vocal constituency. In general, it appears that the HRC has been a conduit for constructive activism on matters of affirmative action in hiring by the City, governmental procurement and contracts. The failure of the City and County to prepare and institute a full-scale affirmative action plan does not appear to be the fault of this Commission. Future City funding may someday be jeopardized by this failure, and certainly affirmative action is impaired by it. It would therefore not seem improper for the Commission to be come a more insistent advocate for the creation of a full and enforceable affirmative action plan for the City and County.

It should be noted that one staff member who recently retired, Edith Witt, came to symbolize for many community groups and minority and low-income residents, the kind of devoted and forceful service that the Human Rights Commission should offer San Franciscans. Partly because of her work, and partly because the Commissioners are highly representative, the HRC does enjoy a degree of respect and appreciation in the community rare for a City agency. This is not to say that the HRC is not criticized, and sometimes rightly so, for debating more than acting, but given its limited power, this is an agency that appears to be doing its best.

- The Commissioner agreed that the HRC would in the near future send mail-return requests to the recipients of its Minutes to determine who of them wish to be continued on the mailing list. This is necessary because of the increase in postal rates and the inability of the HRC budget to continue sending some 600 copies.

- There was a burglary in the HRC offices on September 15th and a new, $600 IBM electric typewriter, two radios and a calculator were taken. Many rooms were entered forcibly and ransacked.

- There are more hearings upcoming for the HRC:

1. An age discrimination complaint will require a show-cause hearing.
2. A complaint involving minority truckers vs. Peter Kiewit Sons, Co. will require a full HRC hearing.

**** It was agreed that the Director might in the near future set up a team of four panels of Commissioners in order to delegate the duties of holding hearings.

- It was announced that Sara Gates, secretary to the Director, and Doug Yamamoto, a community liaison officer, has resigned to, respectively, return to school and take an apprenticeship position. Ms. Gates and Mr. Yamamoto were commended and thanked for their valuable contributions to the work of the HRC.

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HOUSING AND URBAN DEVELOPMENT
Tony Grafilo, Chairperson

- Status of International Hotel - David Prowler

Mr. Prowler reported on his work in recent weeks with the Sheriff's Department planning for community action in light of the strong possibility that an eviction of the tenants of the hotel will be carried out. He reported that the Tenants Association will be filing a civil rights suit in federal court to try to prevent the evictions and that it continues to attempt to get the City to exercise eminent domain over the property (a move endorsed by the Mayor). HRC has supported eminent domain, by which the City would condemn and buy the property and then turn it over to the Tenants Association to raise, privately, funds to purchase it. Mr. Prowler announced that the Tenants Association and its supporters were planning a human barricade as an act of nonviolent civil disobedience if eviction procedures were to be instituted by the Sheriff's Department. The Sheriff has thus far agreed to use his discretionary powers regarding actual eviction procedures.

Mr. Prowler invited any Commissioners who desired to join in the civil disobience and he stressed that it would be totally nonviolent in nature. Commissioner Mezey expressed her interest in being informed. He said that relocation of the tenants in low-income housing in the neighborhood was extremely difficult and that the Sheriff's Office so far has found no places for the tenants (there are some sixty in the hotel at present).

Chairperson Mezey praised Mr. Prowler's valuable and effective liaison work on this issue.

The Office of Samoan Affairs of California, Inc.'s letter to Chairperson Mezey asking for HRC assistance in the matter of an alleged derogatory item by Herb Caen in his column of September 8th (apologized for in his column on September 9th) in the San Francisco Chronicle was read. The Samoan letter asked for a public apology, help in the form of a series of articles about Samoans and a stop to further destructive publicity.

**** This matter was referred to the Social Programs Committee for action and the HRC agreed at this meeting to draft a letter of response to the Samoans. A member of the Samoan Chief's Council already has spoken about community reaction to the item to Director Mickins.

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, September 30th, at 9:30 a.m. in the LURIE ROOM, First Floor, Main Library.

STANDING COMMITTEES

Employment	Thursday, October 7, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, September 23, 1976 3:30 p.m. Thursday, October 7, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco

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Police Liaison	Wednesday, October 6, 1976 4 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Social Programs	Tuesday, September 21, 1976 10 a.m. HRC Offices, Room 509 1095 Market Street - San Francisco
Gay Advisory	Tuesday, October 4, 1976 12 Noon HRC Offices, Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To Be Announced

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:ps

Attachment - Architectural and Engineering Report for the Wastewater Master Plan

From: Carolyn Hom

Re: Initial Architectural and Engineering Report for the Wastewater Master Plan July 30, 1976

T A B L E I

ARCHITECTURE AND ENGINEERING FIRMS AWARDED CITY CONTRACTS

CH_2M Hill

- - Southeast Water Pollution Control Project: Secondary Treatment and Solids Handling Facilities

Hardison & Komatsu

- - Southeast Water Pollution Control Project: Architectural design

Kennedy Engineers

- - Westside Pump Station Project

Daniel, Mann, Johnson, & Mendehall

- - Management Consultants for Water Pollution Control Projects (Critical Path Analysis)

Architectural and Engineering firms currently in negotiation with the Department of Public Works and the Human Rights Commission

Brown and Caldwell

- - Richmond - Sunset Water Pollution Control Plant Interim Improvements

PBQ and D

- - Southwest Ocean Fall Project

From: Carolyn Hom

Re: Initial Architectural and Engineering Report for the Wastewater Master Plan July 30, 1976

TABLE II

STATUS OF ARCHITECTURE AND ENGINEERING FIRMS

CH_2M Hill, Inc.

- - Date contract signed - June 30, 1976
- - *Project cost - $4,048,000
- - Completion date - March 1, 1981

Hardison & Komatsu

- - Date contract signed - June 30, 1976
- - *Project cost - $993,040
- - Completion date - October, 1980

Kennedy Engineers

- - Date contract signed - June 30, 1976
- - *Project cost - $270,000
- - Completion date - October, 1980

*Project cost paid to consultants for services rendered does not reflect total cost of the project, which can be anticipated to rise significantly before project completion.

TABLE III

COMPOSITE OF THREE DESIGN FIRMS FOR THE SAN FRANCISCO WASTEWATER MASTER PLAN

Employee Status/ Job Categories	TOTAL EMPLOYEES			MINORITY GROUP EMPLOYEES												
				MALE						FEMALE						
	In-cluding Minori-ties	Male In-cluding Minori-ties	Fem. In-cluding Minori-ties	Black	Span. Orig.	Asian *C	Asian *J	Fili-pino	Amer. Ind.	Black	Span. Orig.	Asian C*	Asian *J	Fili-pino	Amer. Ind.	Total # of Minor-ity
Officials and Managers	9	9					1									1
Professionals	64	61	3		2	2	3	1				1	1	1		11
Technicians	11	10	1	2				1								3
Support Staff	16	2	14		1	1					1	2	1		1	7
Part-Time																
Full-Time																
Total	100	82	18	2	3	3	4	2			1	3	2	1	1	22
	100%	82%	18%	2%	3%	3%	4%	2%			1%	3%	2%	1%	1%	22%

*C - Chinese *J - Japanese

TABLE IV

Employee Status/ Job Categories	Total	MINORITIES							
		Black	Span. Orig.	Asian *C	Asian *J	Filipino	Amer. Ind.	Total	%
Officials and Managers	9				1			1	11%
Professionals	64		2	3	4	2		11	17%
Technicians	11	2				1		3	27%
Support Staff	16		2	3	1		1	7	44%
TOTALS	100							22	
%	100%							22%	

* C - Chinese

* J - Japanese
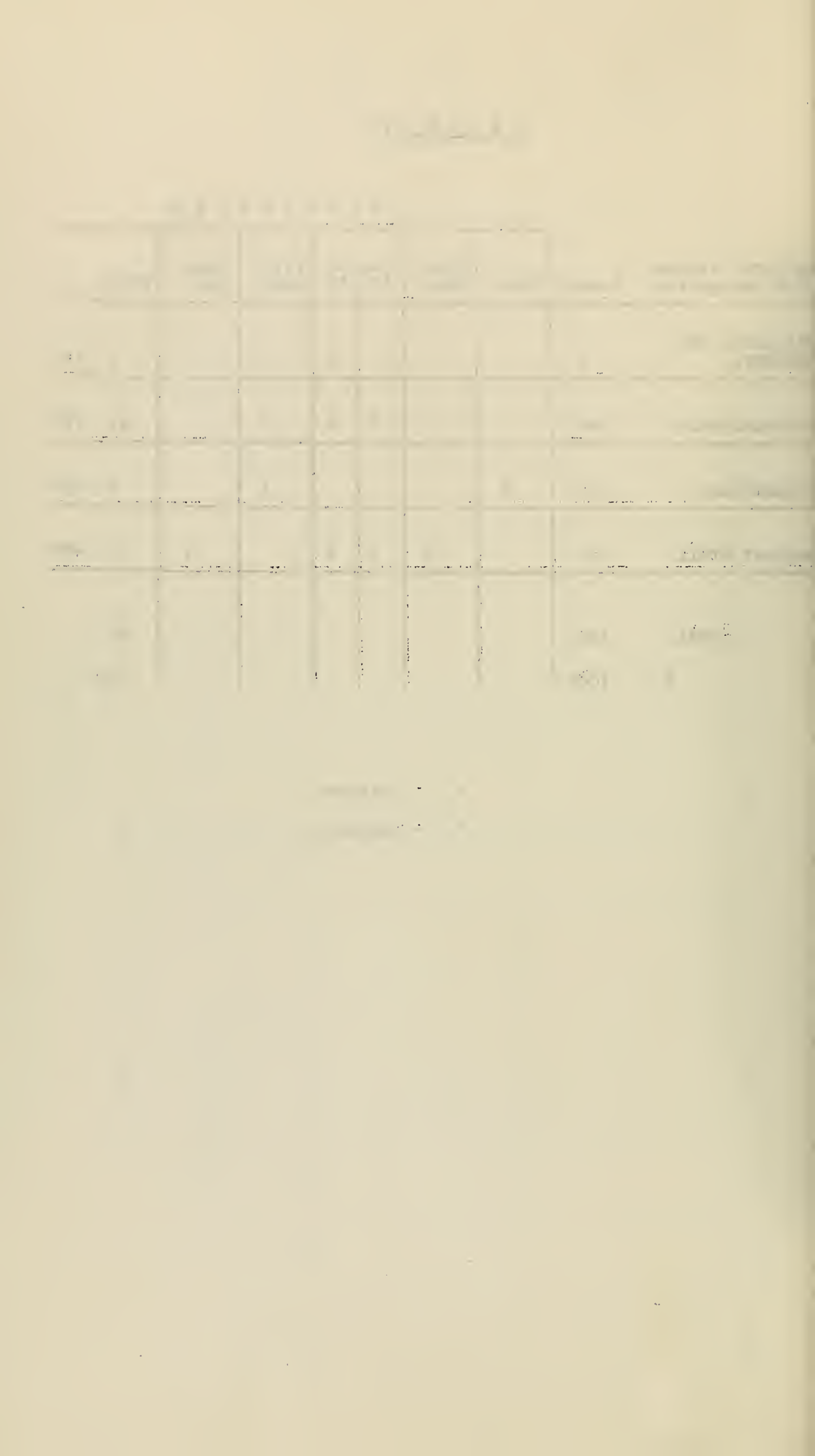
TABLE V

FEMALE

Employee Status/ Job Categories	Total	White	Black	Span. Orig.	Asian *C	Asian *J	Filipino	Amer. Ind.	Total	%
Official and Managers	9								0	0%
Professionals	64				1	1	1		3	4.7%
Technicians	11	1							1	9.1%
Support Staff	16	7		1	2	1		1	14	87.5%
TOTALS	100								18	
%	100%								18%	

* C - Chinese

* J - Japanese

CH:bct

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of September 30, 1976

****
* NEXT MEETING: Thursday, October 14, 1976 *
* 9:15 A.M. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
* *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Carlota del Portillo, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Lillian Sing, David K. Yamakawa, Jr.

Excused: Rabbi Alvin I. Fine, John Morrissey, Dan Silva, William Wesley, Nadim M. Zarour

Staff

Present: Grant S. Mickins, Jack Casford, Med Claveria, Jo Daly, Luis Escobar, Joe Meza, Wayne Redus, Gail Roberts, David Treanor

Mr. Treanor was introduced as the new Management Assistant for the HRC, succeeding Sanford Shapiro.

Pledge of Allegiance

Minutes of September 16, 1976 approved, noting that the Gay Advisory Committee meeting date of Tuesday, October 5th, was inadvertently printed as October 4th.

COMMUNICATIONS

- From Supervisor John L. Molinari, to Carole Ellison, HRC staff member dealing with the physically handicapped, notifying her of a hearing set for Tuesday, October 5th, at 2 P.M. by the Board of Supervisors' Governmental Services Committee to hear his proposed legislation amending the HRC Nondiscrimination Ordinance, Chapter 12B of the Administrative Code, to include the physically disabled. The HRC's Employment Committee is scheduled to discuss this proposed amendment at its regular October 7th meeting, and the legislation, if reported out by committee, is to go before the Board of Supervisors October 12th for a first reading.

In discussion among the Commissioners, it was pointed out that the HRC's stance remains that expanding its categories of responsibility should be accompanied by addition of staff to handle the increased workload. HRC staff has prepared a review of a number of states which include physical disability among their nondiscrimination categories, noting that in the State of New York this added category increased the complaint case workload substantially. The State Department of Human Resources lists some 70,000 physically disabled persons in San Francisco. The Commissioners unanimously expressed the opinion that Supervisor Molinari and other Supervisors, and the Finance Committee, should be kept aware of the inconsistency of adding responsibilities to the HRC without expanding its staff to effectively and adequately cover these responsibilities, especially since, in this case, the physically handicapped community will be expecting this service.

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- From Supervisor John L. Molinari, enclosing letters from Arden Danekas, President, Planning Association for the Richmond, regarding letters from the Fair Housing for Children Coalition sent in HRC envelopes on the subject of annual review by the Board of Supervisors of Section 107 of the Ordinance. Director Mickins has responded to Mr. Danekas. The HRC has been an active member of the Coalition.

- From Robert Pickus, President, World Without War Council of Northern California, inviting the Director to participate in a project called "U.S. Foreign Policy: An Overview," a series of community seminars beginning October 12th. Copies of this material were requested for all Commissioners.

- From Louis Jones, AIA, Program Manager, McKee Berger Mansueto, Inc., confirming the HRC agreement to co-sponsor, with the San Francisco Unified School District and Minority Contractors Association of Northern California, a conference on affirmative action October 6th and 7th at the Del Webb Town House.

- From Frank P. Cuneo, Public Accountant, on behalf of Sabella & La Torre and Borrusco's Lighthouse (restaurants holding leases from the City to operate at Fisherman's Wharf) appealing the recent Director's Finding of noncompliance to a Show-Cause panel.

- From Dorinda Moreno, for Concilio Mujeres, requesting a letter of support for the program of "...support and promotion of Raza women's active participation in the social issues which directly affect their lives," through a newsmagazine, a women's theater group, a television series, a poetry series, and compilation of a bibliography of subject matter specifically related to the Spanish-speaking woman.

Commissioner del Portillo noted that the program of Concilio Mujeres was unique and highly effective for Raza women.

*****The letter was referred to the Social Programs Committee for follow-through on the request for a letter endorsing the program concept for funding proposals.

- To Superintendent of Schools Robert F. Alioto, from Chairperson Mezey, informing of the HRC's September 18th reaffirmation of its June 10, 1976 resolution urging the establishment of a Task Force on Suspensions, and informing that Commission Yamakawa, Vice-Chairperson of the HRC, will be liaison for the HRC to the San Francisco Unified School District on this issue.

- From Jose LaCrosby, Chairman, "Beauty Marathon," announcing the second annual fund-raising event November 14th with proceeds to be presented to the Hunters Point Boys Home and Sickle Cell Anemia (S.C.A.R.E.).

- From Joe Breiteneicher, Employment Law Center, asking HRC follow-through on its past official position regarding nondiscrimination in employment to ex-offenders and less-than-honorably-discharged veterans. Mr. Breiteneicher offered the assistance of community agencies in this field, the Barrister's Club and Bar Association members and corporation representatives active in this area.

- From Maureen Bennett-Hahn, BirthHouse Childcare Center, asking for a review of her charge of discrimination against BirthHouse Childcare Center. Director Mickins reported that the Gay Advisory Committee had discussed the matter and that Jo Daly had investigated and found that (1) there is no discrimination involved in this case, and (2) the HRC has no jurisdiction.

- From Araceli Atienza, Acting Secretary, Horizons Unlimited of San Francisco, Inc., informing that the new Horizons Director is Ms. Marta Baltodano Galeano.

- From Mayor George R. Moscone, announcing the official kickoff of the 1975 United Way Campaign for City and County employees October 4th at 9 A.M. in Room 282, City Hall.

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COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

Report on Committee Discussion of San Francisco Unified School District Budget Procedures and Details.

A detailed discussion was held by the Committee with J. A. Jungherr, Deputy Superintendent, Office of Management, and Lyle E. Eickert, Director of the Budget and Finance, on September 23rd.

These men responded to four principal questions:

1. What is the procedure to follow in order to ascertain the funding levels of given programs? Who is the appropriate contact person? This procedure was explained. Mr. Eickert offered to help if there were difficulties in seeking information through regular channels.

2. Why were members of the Budget Advisory Advisory Committee to the Superintendent of Schools not continued from the 1975-1976 to 1976-1977 school years? Will a new Advisory Committee be established? It was announced that there will be a new Advisory Committee established, but the questions of whether it be on-going and how to best constitute it, have yet to be resolved. Mr. Jungherr expressed gratitude for the contributions of members of the HRC Youth & Education Committee to the Budget Advisory Committee.

3. Will the middle school program at Pelton Junior High School be replaced at other school sites? The answer to this was yes. Commissioner del Portillo commented on a highly-successful program with a reading and mathematics component in this program (designed to meet deficiencies in these subjects). More information on details of this program will be brought to the Committee in the future.

4. Are the funds to transport handicapped pupils included in the general school transportation budget? Are such funds provided by this State? Could the District hire alternate transportation for handicapped pupils during a school bus drivers' strike out of these funds? The answer was yes to these questions. However, the District was unable to locate appropriate alternate transportation.

Commissioner Giles pointed out that this discussion with the two SFUSD officials drew a large number of people to the Committee meeting.

Out of this meeting on recommendations of these officials, came the next HRC agenda item.

- Proposed Resolution Urging Early Adoption of the School District Budget.

Commissioner Giles read this proposed resolution in full, urging that the Budget and Finance Committee of the Board of Education hold hearings on changing the dates for the adoption of the preliminary and final SFUSD budget and it was

**** m/s/c that the HRC request the Budget and Finance Committee of the Board of Education to hold school-community hearings on changing the dates of preliminary and final budget adoption within the next two months..in sufficient time to make changes for the 1977-1978 fiscal year. A full copy of this resolution is attached to these Minutes.

- Commissioner del Portillo initiated a discussion of what actions could be taken on the continuing problem of violence and vandalism directed against school district building. Commissioner Giles recounted the HRC's involvement through staff in helping establish a program at Pelton Junior High School designed specifically to build school pride and morale through involvement of faculty, students, parents, community and even school maintenance staff. This program resulted in considerable reduction of damage to school property. Commissioner Sing expressed her feeling that the School District should be responsible for similar programs, and not count on staff from the HRC to create them.

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SOCIAL PROGRAMS
Dan Silva, Chairperson

- Proposed Endorsement of Supervisor Molinari's Resolution Urging President Ford to Rescind Executive Order 11935 Barring Permanent Resident Aliens from Federal Employment.

On September 3rd, President Ford issued Executive Order 11935 which prohibits the hiring of Permanent Resident Aliens in the Federal Civil Service.

The following day Commissioner Lillian Sing joined a number of others from the community in San Francisco to protest this action.

The Social Programs Committee heard from Henry Der of Chinese for Affirmative Action at its September 21st meeting on this issue. The Committee has long been an advocate of greater opportunity for employment, for social benefits and for health care for persons who are not citizens.

The Social Programs Committee, after discussion, voted unanimously to recommend that the HRC endorse a proposed resolution to be introduced October 1st by Supervisor John Molinari at the State and National Affairs Committee.

The Committee also requested authorization to send a letter to President Ford, with copies to California legislators, to all fellow human rights commissions in the state and the nation, and, of course, to the State and National Affairs Committee.

It was

**** m/s/c that the HRC endorse Supervisor Molinari's proposed resolution calling on the President to rescind Executive Order 11935. A full copy of this proposed resolution is attached to these Minutes.

It was

**** m/s/c to authorize the sending of a letter to President Ford from the HRC asking that he rescind Executive Order 11935. With one minor change in wording by Commissioner Sing, the full text of this letter is attached to these Minutes.

- Report on Social Programs Committee/HRC Letter to The San Francisco Chronicle (with copies to two representatives of the Samoan community, to the Editor and Publisher, to Herb Caen and to Ralph Craib, a Chronicle reporter with experience in Samoa).

On September 8th Herb Caen printed an item in his column in the San Francisco Chronicle that was deemed by many persons in this City as insulting to Samoans. The Human Rights Commission was written by Ms. Pat Luce of the Office of Samoan Affairs, Incorporated, of Sacramento asking for HRC support in obtaining redress for the offending item. On September 12th members of the Samoan community, including Coke Anoai of the HRC staff and Stanley Lim, an HRC observer, met with Mr. Caen and the Chronicle City Editor, Ralph Craib. A number of demands were made by the Samoan community and Mr. Caen personally apologized. Subsequently, on Monday September 23rd Herb Caen ran a full column on the subject of racial and ethnic bigotry as exemplified by racist or insulting remarks made about ethnic minorities. The column included a paragraph of apology addressed directly to the Samoan community.

Ms. Anoai attended the Social Programs Committee meeting on September 21st. As a result of that discussion, the Committee sent, over the signature of Chairperson Mezey, a strong reaction letter, with copies to Herb Caen, Ralph Craib, Ms. Luce, and the Rev. Anoai Amituanai. Chairperson Mezey and Jack Casford of the HRC jointly wrote this letter.

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The letter sent to Mr. Charles de Young Theriot, Editor and Publisher of The Chronicle, was read in full by Mr. Casford. The text of that letter:

Mr. Charles de Young Theriot
Editor and Publisher
The San Francisco Chronicle
901 Mission Street
San Francisco, California 94119

Dear Mr. Theriot:

The Human Rights Commission of San Francisco wishes to re-affirm its deep commitment to the dignity of all people by commenting on the Herb Caen column item printed September 8, 1976, and the subsequent reaction of the Samoan community.

The HRC, which deplores all manifestations of racial and ethnic bigotry, including those occasioned by thoughtlessness, was immediately sympathetic to the Samoan community on this issue. The full Commission and its Social Programs Committee have discussed the matter.

We are pleased with Mr. Caen's lengthy apology in his column of September 20, 1976. It appears to us evidence of the sincerity of his feelings regarding the use of remarks that insult the dignity of ethnic minority people here and everywhere. These are feelings the Human Rights Commission shares.

But we feel that if Mr. Caen believes that offense was felt only by the Samoan community, he is much mistaken. Reactions members of the HRC and staff heard from the "Northern Slopes" were as indignant as those from the Samoan and other ethnic communities.

We call on renewed vigilance by Mr. Caen and by the management of The Chronicle that this kind of incident does not occur again.

Sincerely,

Caryl Mezey,
Chairperson

JC:mf
cc: Rev. Anoai Amituanai, Mr. Herb Caen,
Mr. Ralph Craib, Ms. Pat H. Luce

.....

Mr. Craib was in the audience, covering the meeting in his capacity of reporter for The Chronicle.

DIRECTOR'S REMARKS

- Report on HRC Staff Recommendations Growing Out of a Request that it Investigate the Mission Neighborhood Health Center's Board of Directors.

Staff member Joseph Meza joined Director Mickins in discussions with Dr. Jose R. Llanes, of the University of San Francisco, and Dr. Jose Fernandez, Director of the Mission Health Center, on September 8th. Dr. Llanes earlier had written a formal request for HRC involvement, expressing concern over events transpiring in a July 26th meeting of the Center Board of Directors. A petition attached to this letter bore 102 signatures of San Francisco residents.

William Wingfield, President of the Center Board of Directors, was invited to discuss the matter, but he had not responded to date.

Dr. Llanes made a number of allegations regarding Mr. Wingfield, his conduct of the meeting in question, the Board of Directors, an audit currently under way, unaccounted expenditures, etc. The HRC staff was thus made aware of a basic conflict between Dr. Llanes, Dr. Fernandez, and Mr. Wingfield.

The HRC has had more than a casual interest in the Mission Neighborhood Health Center since its inception in 1971. The Commission has endorsed and supported the program and staff has lent assistance. The primary concern is the continuation and delivery of health care services to the many low-income families of the Mission district. This factor has been the over-riding consideration of the HRC during prior reorganization crises of the Center and its governing boards. The current allegations regarding the policy functions of the board and the lack of clear lines of authority in staff management and administrations are issues that are of a serious enough nature as to potentially threaten future federal funding in this district. In such an event, the entire community, as well the City and County of San Francisco, will suffer the loss.

Nonetheless, said Director Mickins, the allegations made and issues now raised, some of which have merit, require solutions which are well-reasoned and not designed to prolong the existing problems. It is for this reason that staff is submitting the following recommendations, which must be agreed to mutually by all sides:

1. That the National Center for Dispute Settlements be brought in to review both sides of the issues involved and arbitrate a solution.

2. That all sides agree to be bound by recommendations worked out by arbitration efforts of the National Dispute and Settlement Center.

3. That the Human Rights Commission will hold the matter open and assist during this period to engage the Dispute Center services and retain jurisdiction until such time that the matter is securely under arbitration.

- Commissioner del Portillo commended Director Mickins highly for his and Mr. Meza's skillful handling of this sensitive community issue on which there is wide internal division. She commented that the HRC's good offices in this issue have evoked a "feeling of hope" in the Mission community that an impartial means has been recommended that can lead to steps to solve this presently serious problem.

- Upcoming HRC Administrative Hearings

1. The second session of the HRC hearing in The Pride Foundation vs. Pacific Telephone & Telegraph Company case will be Tuesday, October 12th at 9 A.M. in Room 1194 of the State Building at 455 Golden Gate Avenue. Chairperson Mezey reminded Commissioners that only 10 are eligible to vote in this case (those who were in attendance at the previous session) and eight votes are necessary to render a finding.

2. An age discrimination Show-Cause Hearing (John Fisher vs. E.C. Braun) will take place on Friday, October 8th, at 10 A.M. in Room 509 of the HRC Offices at 1995 Market Street.

3. An appeal to the Finding of the Director of noncompliance with the City's Nondiscrimination Ordinance against Sabella & La Torre and Borrusco's restaurants on Fisherman's Wharf will be set at a later date.

4. A full HRC hearing, requested on appeal from a Show-Cause Hearing panel Finding against the complainants in the case of Martin Johnson et al vs. Peter Kiewit Sons' Co. and Chet C. Smith Trucking Co. will be held (tentatively) on Tuesday October 26th, beginning at 9 A.M. at a place to be announced. Commissioners were asked to contact the Director regarding their schedules.

Director Mickins announced that other hearings would be forthcoming.

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- It was announced that the HRC, along with other City departments with less than twenty employees, was exempted from budget cut requirements of the Mayor's Office and the Board of Supervisors.

- It was announced that Donald Hesse, presently on the staff of the Council for Civic Unity, was the top qualifier for the Human Relations Housing Representative position left vacant by the resignation of Edith Witt. David Prowler, presently a CETA employee, was second in the Civil Service oral examination.

NEW BUSINESS

- Copies of positions for and against Proposition S, a Yerba Buena Center policy statement that will be on the City November ballot, were provided, as requested September 16th, to the Commissioners. The policy statement is: Shall the City construct a convention exhibit hall at Yerba Buena Center using a 4% hotel room tax to finance lease revenue bonds, underground if financially feasible, otherwise aboveground.

**** This issue was referred to the HRC Employment Committee for discussion and recommendation.

- Commissioner Sing was given a brief resume of the present status of the possibility of eviction being carried against tenants of the International Hotel. David Prowler continues his liaison work with the Sheriff's Department. It was reported that there may be a possibility of obtaining local financial assistance from a major bank if eminent domain is exercised by the City enabling the Tenants Association to attempt to purchase the property from the present owners, the Four Seas Corporation.

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, October 14th, at 9:15 a.m. in the Commission Room, Third Floor, Main Library.

STANDING COMMITTEES

Employment	Thursday, October 7, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, October 7, 1976 3:30 p.m. Thursday, October 21, 1976 3:30 p.m. Cathedral House Library - 1051 Taylor St.
Police Liaison	Wednesday, October 20, 1976 4 p.m. Lurie Room, First Floor, Main Library
Social Programs	Tuesday, October 19, 1976 10 a.m. CHANGED FROM October 5th. HRC Offices, Room 509 1095 Market Street - San Francisco
Housing & Urban Development	TO BE ANNOUNCED

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa
10/5/76
Attachemnts: HRC Resolution Urging Early Adoption of School District Budget.
Bd. of Supervisors' Resolution Going on Record In Opposition To President Gerald R. Ford's Executive Order 11935.
HRC letter to President Ford asking that he rescind Executive Order 11935.

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

Human Rights Commission Resolution Urging
Early Adoption of School District Budget

WHEREAS, the California State Education Code requires local school districts to adopt their budgets by August 10th; and

WHEREAS, this deadline is nearly a month and a half after the start of the fiscal year; and

WHEREAS, the August 10th deadline does not permit sufficient notification to school personnel and to the community of budgetary information affecting the coming school year; and

WHEREAS, early adoption of the School District budget would facilitate long range planning; and

WHEREAS, an earlier deadline would encourage greater community participation in proposed changes;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission request the Budget and Finance Committee of the San Francisco Board of Education to hold hearings to elicit school-community responses to changing the dates of preliminary and final budget adoption; and

FURTHER, BE IT RESOLVED that the Budget and Finance Committee initiate such meetings within the next two months and that the Committee then make its recommendation to the full Board of Education in sufficient time to make changes for the 1977-78 fiscal year if so recommended.

Adopted by the HRC 9/30/76

FILE NO_____ RESOLUTION NO_____

BE IT HEREBY RESOLVED THAT THE SAN FRANCISCO CITY AND COUNTY BOARD OF SUPERVISORS GO ON RECORD IN OPPOSITION TO PRESIDENT GERALD R. FORD'S EXECUTIVE ORDER 11935, PERTAINING TO THE HIRING OF FEDERAL CIVIL SERVICE EMPLOYEES.

WHEREAS, The City and County of San Francisco has since Nobember 23, 1970 endorsed the policy of hiring Permanent Resident Aliens, except in security positions, and

WHEREAS, The State of California has an established policy of hiring Permanent Resident Aliens, since November 23, 1970, and

WHEREAS, The United States Supreme Court declared in Wong vs. Hampton that it was unconstitutional for the United States Civil Service Commission to deny legally-admitted Permanent Resident Aliens the right to apply and be accepted for employment in the Federal Civil Service, and

WHEREAS, It is the best interests of the Federal government to utilize the services of all persons legitimately residing within the United States, and

WHEREAS, President Ford has issued Executive Order 11935 as published in the September 3, 1976 Federal Register wherein he prohibits the hiring of Permanent Resident Aliens in the Federal Civil Service, except in special circumstances, and

WHEREAS, The effect of Executive Order 11935 is to discriminate against certain classes of people and is in violation of the equal protection clause of the 14th Amendment to the Constitution, and

WHEREAS, The Unites States Congress should further establish a policy with respect to Permanent Resident Aliens and Federal Civil Service; now, therefore, be it

RESOLVED, That the Board Of Supervisors of San Francisco City and County send a letter to President Ford asking that he rescind Executive Order 11935 for the reasons stated above, and be it

FURTHER RESOLVED, That copies of this resolution be distributed to President Ford and to the San Francisco Delegation to the United States Congress.

Board of Supervisors
Supervisor John L. Molinari

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street
Suite 501
San Francisco, California 94103
TELEPHONE 558-4901

President Gerald R. Ford, asking that he rescind Executive Order 11935

President Gerald R. Ford
The White House
Washington, D.C. 20005

Dear Mr. President:

The Human Rights Commission voted unanimously at its regular meeting of September 30, 1976 to join thousands of other in this country in urging that you rescind your Executive Order 11935 issued September 2, 1976.

This Commission position is consistent with its long-standing view that the denial of basic human rights---including the right to decent employment and self-sufficiency---to certain groups of persons because of technical residency status is wrong.

We hold that your Executive Order barring permanent resident aliens from federal employment should be rescinded for the following reasons:

1. The Congress should make a study of who permanent resident aliens are as you yourself suggested, before the President makes any such ruling.

2. The public should have an opportunity to tell its representatives in The Congress their feelings about alien employment in the federal service.

3. Your stating that your Executive Order is in the "national interest" does not show how it is in the "national interest."

4. The federal service and the nation would be denied the talents and energies of thousands of highly-qualified persons who do not happen to be full citizens.

5. The Executive Order tends to establish a system similar to other countries' exclusionary "work permit" policies.

The Human Rights Commission is supporting a proposed resolution by Supervisor John Molinari that calls on you, the President to rescind your Executive Order 11935. We point out that both the City and County of San Francisco and the State of California civil service systems hire permanent alien residents. We see your Executive Order as possible setting a precedent for further denials by the federal government of basic human rights to persons who, for a variety of reasons, are not citizens.

We believe it is in the national interest to give opportunity on the federal level, as it is now given on state and local levels, to persons able and willing to work.

Sincerely,

Caryl Mezey
Chairperson

DOCUMENTS
FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of October 14, 1976

NEXT MEETING: Thursday, October 28, 1976
9:15 a.m.

Commission Room, Third Floor
Main Library, Civic Center

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, David K. Yamakawa, Jr., Nadim M. Zarour

Excused: Carlota del Portillo, Sylvester Herring, Lillian Sing, William Wesley

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Manuel Chaffo, Med Claveria, Jo Daly, Carole Ellison, Luis Escobar, Larry Griffin, Grace Markham, Joseph Meza, Wayne Redus, Gail Roberts

In the absence of an American flag, there was no Pledge of Allegiance

Minutes of September 30, 1976 approved.

COMMUNICATIONS

- From Lawrence R. Myers, Executive Director, State of Nebraska Equal Opportunity Commission, requesting information about the HRC's procedures involving complaint caseload backlogs.

- From Farris Press, soliciting HRC subscription to a press clipping service.

- From Joseph Esherick, Esherick Hersey Dodge and Davis, Architects and Planners, thanking the Director for his participation in an affirmative action program for the American Institute of Architects' Northern California Chapter.

- From Harry Robinson, Chairperson, San Francisco Bay Area Equal Employment Opportunity Officers Council, announcing the first annual Bay Area Federal Employment Opportunity Conference for November 3rd, all day, at the Holiday Inn, Eighth and Market, San Francisco.

- From Patrick J. Mahler, Director, Employee Relations, San Francisco Board of Supervisors, a copy of a memorandum to all City departments heads, notifying them that a meet and confer procedure is required in implementing a layoff of personnel.

- From R. Hunter Morey, Parent Involvement Coordinator, San Francisco Headstart, requesting statistical information.

- From Mrs. Richard Caesar, Chairman, The San Francisco Juvenile Justice Commission, thanking Director Mickins for speaking at a public hearing on September 29th.

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- From Robert E. Graham, Foreman, San Francisco County Civil Grand Jury, a copy of a memorandum to all departments, offices, boards and commission of the City, submitting a list of committee assignments for the 1976-1977 Civil Grand Jury. The Human Rights Commission will be studied by Mrs. Edith Perlman, Chairman of Committee No. 8, Earl L. Ellingson, and Mrs. Dagmar G. Meyer.

- From Gil Brigham, Deputy Director, Mayor's Criminal Justice Council.

- From Mayor George R. Moscone, advising of the United Way Campaign for City and County employees.

- From George Ogino, Coordinator, Chinatown North Beach Citizens Advisory Committee, Employment Development Department, thanking the HRC for the participation of its (then) recruiters, Alvin Ja, Karen Yee and George Man on the Community Advisory Committee.

- From the National Association of Human Rights Workers, announcing its 29th annual conference in Atlanta, October 24 - 28.

COMMOTTEES

Employment
David Yamakawa, Chairperson
Rabbi Alvin I. Fine, Co-Chairperson

- Request for HRC Endorsement of Proposition E, Proposed Charter Amendment Changing the Rule of One (in Civil Service hiring) to the Rule of Three.

Commissioner Yamakawa briefly described the operation of the Rule of One (that person making the highest score in Civil Service testing has first right to the position being tested for) and the Rule of Three (the hiring or appointing officer has the option of selecting one of the top three scorers for any given class).

A number of speakers on both sides of this issue addressed the HRC. Appearing urging HRC endorsement of Proposition E were:

Duke Smith, member of the Coalition for Effective Government and of the Alice B. Toklas Democratic Club.

Sandy Ouye, a member of the Commission on the Status of Women.

Esther Marks, League of Women Voters.

Proponents said that the Rule of Three was a "first step" in achieving affirmative action for minorities and women in City employment and promotion, that it produced flexibility in the hiring procedures, that most large cities presently have the Rule of Three and that the Rule of One was "inefficient" in that it did not consider past performance as a criterion in hiring.

Appearing urging HRC opposition to Proposition E were:

Vince Courtney, Executive Secretary, Local 400, City and County Employees union.

Nancy Gin, Local 400.

Joan Dillon, president of Local 400; president of the San Francisco chapter of the Coalition of Labor Union Women.

Chuck Nash, of Local 250, Hospital Workers union.

Opponents said that the Rule of Three would tend to perpetuate racial discrimination, that it would perpetuate political patronage, that it was a part of a number of anti-City employee charter amendment provisions on the ballot and that many minorities presently in Civil Service obtained and hold their jobs through the Rule of One procedure.

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There was discussion at the two Employment Committee meetings, in August and September, where Proposition E was considered. In August, Commissioner Yamakawa said, the Committee failed to obtain a second on a motion to recommend HRC endorsement, and failed to pass a motion to oppose endorsement.

Wayne Redus of the HRC staff was then asked to provide the Commissioners and the Committee with the pros and cons on Proposition E.

Commissioner Fine pointed out that there were two problem areas the Employment Committee had noted on Proposition E:

1. That the proposed charter amendment does not require the appointing officer to justify his or her appointment, and

2. That there is no provision for a survey of the results or pattern of appointments under the Rule of Three.

Commissioner Fine asked (he was unable to attend the September Employment Committee meeting) why these two concerns were not reflected in the Committee's recommended endorsement wording.

Commissioner Yamakawa said these concerns were in the first draft of the Committee recommendation, and that those members of the Committee voting the second time against recommending endorsement (the vote to recommend endorsement was a divided one) did so for that reason.

At one point Mr. Redus was asked, following a question from Commissioner Mezey, to determine which members of the Employment Committee voting "no" in August on the recommendation to endorse had been present at the September meeting. Commissioner Mezey then asked that this tally not be taken.

Commissioner Maxwell asked what statistics have been compiled on the experience in cities which have the Rule of Three in the field of affirmative action for minorities and women.

It was stated by Commissioner Yamakawa that such statistics had not been obtained from the Employment Committee members.

Commissioner Giles stated that she felt that the best way to make an impact on full participation by minorities and women was to implement a full City affirmative action employment program. She said that the Rule of Three was possibly open to abuse if there were no affirmative action program to enforce it.

Commission Lyon said that the two go hand-in-hand, and that Proposition E would, in her opinion, be a first step towards flexibility of hiring choice and a full affirmative action program, on which the HRC is working now.

Commissioner Maxwell spoke of the need to change attitudes in hiring.

Mention was made of past and present difficulties with the examination procedures in implementing full minority and female participation in hiring and promotion.

After a call by Chairperson Mezey for a vote based on whether Proposition E would help minorities and women in Civil Service employment participation, it was

**** m/s/c that the HRC adopt the Resolution in Support of Proposition E. The full text of this resolution is attached to these Minutes. It calls for the Mayor to institute "a strong, effective affirmative action plan...including goals and timetables and utilizing the Rule of Three..." The vote was 7 to 4 in favor of adoption.

- Request for Endorsement of Proposition S (a proposed policy statement) Calling for Construction of a Convention Exhibit Hall at Yerba Buena Center Through Hotel Room Tax-Financed Bonds.

Members of the Commission had been provided in advance with a paper presenting pro and con statements (with lists of proponents and opponents) on Proposition S.

Commissioner Morrissey asked for explanation of the HRC's particular interest in this proposition. Commissioners Grafilo and Fine pointed out that the HRC's primary concern in the long Yerba Buena Center planning and discussion has been the job-generating nature of the project, with particular emphasis of course on affirmative action in those jobs.

It was

**** m/s/c to endorse Proposition S, as it reads: "Shall the City construct a convention exhibit hall at Yerba Buena Center using a 4% hotel room tax to finance lease revenue bonds, underground if financially feasible, otherwise aboveground." Commissioner Silva asked that his "no" vote be recorded on this endorsement.

- Proposed Legislation Amending 12B to Include Physical Disability.

A recommended resolution urging that physical disability be added to the Chapter 12B of the Administrative Code for the Human Rights Commission (the Nondiscrimination Ordinance) was offered by the Employment Committee. The resolution calls on the Board of Supervisors to approve additional staff for the HRC as a companion measure to the physical disability amendment in budget calculations for the next fiscal year, in addition to approving an emergency appropriation providing one permanent staff position to provide the services the physically disabled would have the right to expect.

Wayne Redus said that Supervisor Molinari's office (the Supervisor introduced the legislation calling for this amendment to Chapter 12B) will be willing to consider the HRC's suggestions on wording covering definition of the types of disabilities to be excluded, such as disabilities related to job performance.

It was

**** m/s/c that the HRC adopt the Resolution Urging Inclusion of Physical Disability in Chapter 12B of the Administrative Code, with the proviso that HRC staff work out with Supervisor Molinari the wording of inclusions or exclusions. The full text of this resolution is attached to these Minutes.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Operation of Juvenile Court and Responses to the April 21, 1972 HRC report.

This report was postponed to the October 28th HRC regular meeting.

NO DIRECTOR'S REMARKS

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting meeting of the HRC will be Thursday, October 28, 1976 at 9:12 A.M. in the Third Floor Commission Room, Main Library.

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STANDING COMMITTEES

Employment	Thursday, November 4, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, October 21, 1976 3:30 p.m. Thursday, November 4, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Police Liaison	Wednesday, November 3, 1976 4 p.m. Commission Room, Main Library Third Floor, Civic Center San Francisco
Social Programs	Tuesday, October 19, 1976 10 a.m. HRC Offices, Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To Be Announced

ADJOURNMENT. The Commission adjourned to begin the final arguments by counsel in the appeal (to an HRC show-cause panel finding) hearing on charges of noncompliance with the City's nondiscrimination ordinance by Pacific Telephone & Telegraph Company.

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa

ATTACHMENTS: HRC RESOLUTION IN SUPPORT OF PROPOSITION E
HRC RESOLUTION URGING INCLUSION OF PHYSICAL DISABILITY IN CHAPTER 12B OF THE ADMINISTRATIVE CODE

HUMAN RIGHTS COMMISSION

RESOLUTION IN SUPPORT OF PROPOSITION E

WHEREAS, the Human Rights Commission has found that the Rule of One has operated to exclude minorities and women from many positions in City civil service employment; and

WHEREAS, department heads have been unable to institute affirmative action procedures which could bring about meaningful equal opportunity for those who have been traditionally excluded; and

WHEREAS, the institution of a more flexible alternative to the Rule of One is essential to the implementation of an effective affirmative action program, including the establishment of goals and timetables,

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco endorse Proposition E, the proposed charter amendment changing the Rule of One to the Rule of Three; and

BE IT FURTHER RESOLVED that His Honor, the Mayor, be encouraged to institute a strong, effective affirmative action plan for the City and County of San Francisco, including goals and timetables and utilizing the Rule of Three, with all deliberate speed.

Resolution 15-76
Adopted by HRC 10/14/76
bct

HUMAN RIGHTS COMMISSION

RESOLUTION URGING INCLUSION OF PHYSICAL DISABILITY

IN CHAPTER 12B OF THE ADMINISTRATIVE CODE

WHEREAS, since its inception in 1964 the Human Rights Commission has had many amendments to its Enabling Ordinance, Chapter 12A, and its Non-discrimination Ordinance, Chapter 12B of the Administrative Code, with the inclusion of the protected classes of age, sex, sexual orientation and physical disability; and

WHEREAS, most of these amendments have been included under Chapter 12B of the Administrative Code requiring nondiscrimination in the performance of City and County contracts; and

WHEREAS, the physically disabled constitute a large class of citizens with the City and County of San Francisco and exceed seventy thousand in number; and

WHEREAS, the Human Rights Commission believes that this class of citizens suffers many forms of discrimination common to all minorities and underprivileged residents; and

WHEREAS, The Human Rights Commission supports and endorses their efforts to be included in Chapter 12B of the Administrative Code; and

WHEREAS, the Human Rights Commission also strongly feels that the Board of Supervisors, should, commensurate with inclusion of the physically disabled in Chapter 12B, approve an emergency appropriation providing one permanent staff position for the Human Rights Commission to assure that the services promised by this amendment will, in fact, become a reality as the physically disabled have a right to expect; and

WHEREAS, the lack of adequate staff to serve the physically disabled will severely frustrate the delivery of these services to this class of citizens,

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission endorse the inclusion of physical disability under Chapter 12B of the Administrative Code; and

BE IT FURTHER RESOLVED, that the Human Rights Commission recommend that the Board of Supervisors approve additional staff for the Human Rights Commission as a companion measure to the amendment by inclusion in the budgetary calculations for the 1977-78 fiscal year.

Resolution #16 - 76
Adopted by HRC 10/14/76
pa

12/76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of October 28, 1976

NEXT MEETING:	Thursday November 18, 1976 9:15 A.M.

November 11th and November 25th are legal holidays.

Commission Room, Third Floor
Main Library, Civic Center

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing, David K. Yamakawa, Jr.

Excused: Carlota del Portillo, Sylvester Herring, William Wesley, Nadim M. Zarour

Staff

Present: Grant S. Mickins, Jack Casford, Manuel Chaffo, Med Claveria, Luis Escobar, Alberta Grant, Larry Griffin, Joe Meza, Wayne Redus, Gail Roberts, David Treanor, Essie Thomas

Pledge of Allegiance

Minutes of October 14, 1976 approved.

COMMUNICATIONS

- From Eugene S. Hopp, M.D., Commissioner, Board of Education, concurring in recent HRC action calling for early adoption of the school budget, but noting that the State Legislature alone can establish and/or change the budgetary dates. Dr. Hopp had asked the Legal Adviser for the San Francisco Unified School District, to verify the facts.

- From Victor Van Bourg, Van Bourg, Allen, Weinberg & Roger, regarding seminars on hiring hall contracts.

- From Louis Jones, AIA, Program Manager, McKee Berger Mansueto, Inc., thanking Director Mickins for his participation in an Affirmative Action Conference at the Del Webb Towne House.

- From Reynold H. Colvin, Chapter Chairman, San Francisco Chapter, American Jewish Committee, and John H. Goy, Chairman, The National Conference of Christians and Jews, Northern California Region, inviting Director Mickins to participate in a seminar on "Making Affirmative Action Work: "Alternatives to Quotas" on November 10th at The Holiday Inn.

- From Robert F. Ruiz, Contract Coordinator, United Minority Business Entrepreneurs Inc., protesting the awarding of the Centralized Nuitrition

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Complex to "the apparent low bidder unable to comply with the stated policy of the school district (San Francisco Unified School District)."

- From Kenneth S. Washington, President, City College of San Francisco, inviting Ms. Gail Roberts to contribute ideas as to the type of qualifications considered important in selecting the next chancellor. Dr. Louis Batmale, current chancellor, will retire in June of 1977.

- From Sara Myers, Center for Innovative Education Coordinator, Pepperdine University, thanking Jack Casford for a presentation to a class on community organization at Alameda Naval Air Station.

- From Mrs. Victor Koltugin, Parents and Taxpayers, to Commissioner Giles, regarding two "traditional" schools---Lawton and Treasure Island---, and a "return to the Three R's and a discontinuance of massive busing."

- From Ann Blumlein, Office of the Mayor, announcing an annual fund-raising dinner for the National Association for the Advancement of Colored People, at which Ruth Love, Oakland Superintendent of Schools, will be the guest speaker. The dinner is November 10th, at the St. Francis Hotel, with tables for eight people and a tariff of $100 per person.

- From Superintendent of Schools Robert F. Alioto to Chairperson Mezey, regarding the HRC's call for School District establishment of a task force on suspensions. See Youth and Education Committee section of these Minutes for discussion of this letter.

COMMITTEES

Police Liaison
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- Proposed Resolution Regarding Agreement Between Arab Merchants and Bayview/Hunters Point Committee. - Commissioner Morrissey

The action portion of this proposed resolution was that "the HRC establish an Intergroup Communications Committee, to operate as a subcommittee of the Police Liaison Committee, to be appointed by the chairperson of the Police Liaison Committee and to be called into activity by the HRC Director or by the chairpersons of the Intergroup Communications Committee, the Police Liaison Committee or the Human Rights Commission when community tensions warrant it."

Commissioner Morrissey reviewed briefly how the proposed resolution grew out of the agreement reached between Arab merchants and Bayview-Hunters Point community residents and groups following meetings at the HRC to resolve tensions brought on by the shooting death of a Bayview/Hunters Point resident in an Arab-owned neighborhood grocery store in August. The HRC was contacted by the Police Community Relations Unit at the request of Chief of Police Gain, the meetings were carried out and certain specific agreements were set up with the consent of all parties to resolve the immediate threat of violence. As part of the agreement as a means of dealing rationally and objectively with other community tension-producing situations, the formation of an Intergroup Communications Committee was agreed to.

Director Mickins also contributed information on the history of these Arab-Bayview Hunters Point meetings. He described the sessions as open-ended and, ultimately, successful, particularly leading to the concurrence in the setting up of an Intergroup Communications Committee to deal with possible similar tension situations in the City. He noted that there has to date been no mechanism to deal with such situations when referred to the HRC, though it is historically mandated by its ordinance to mediate and help resolve community tensions.

Representatives of groups which participated in the meetings at the HRC and in the working out of the agreement made brief statements to the HRC.

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Tawfia Morrar, of the San Francisco Independent Grocers Association, representing some 450 Arab-owned groceries throughout the City, and in many low-income, minority neighborhoods. Michael Harar, a Bayview-Hunters Point Merchant, was present but did not address the HRC. Mr. Morrar said that ten members of the Association have lost their lives on store premises since 1973. He said that until now there had been no way seen to stop the violence but that his community had wished to strengthen its relations with the Black community in order to contain such outbreaks. He said that his association feels it vitally important to form an Intergroup Communications Committee to deal with violence, the threat of violence and the conditions that lead to misunderstandings and hostility. He expressed gratitude for the offices of the HRC and its staff in setting up communication with the Black community and working out the agreement and the decision to form a committee of this kind.

Harold B. Brooks, Jr., of the New Breed Community Development Corporation. Claude Carpenter, president of the New Breed Community Development Corporation was present but did not address the HRC.

Mr. Brooks referred to an October 1st article in a local newspaper on a meeting on Bayview-Hunters Point where, it stated, a boycott of Hunters Point Arab-owned grocers was organized and that it stemmed "from long-time bad feelings between the...grocers and Hunters Point..." Mr. Brooks denied that the situation in the community was precisely as described in the article. He noted that Arabs had contributed to New Breed to help it deal with problems of inflation and unemployment leading to anti-social actions in the area. He said that Model Neighborhood Agency people had met with community residents and Black merchants to try to determine how these social problems could be handled. Mr. Brooks said he had not found widespread "bad feelings" but rather agreement that certain steps had to be taken, including group responsibility for job development and community education on cultural differences and how to live together. He noted that certain misconceptions had been dispelled, including, among some Blacks, the image of Arabs as persons with wealth from oil incomes, whereas most of the Arab merchants are Palestinians in very modest circumstances, and, among some Arabs, the image of Black people as "the doormat of this country" subject to insensitive treatment. Other New Breed activities to create understanding were the setting up of distress funds, the loaning of furniture and household equipment to needy families and a stress on problem-solving at the community level. Mr. Brooks said that the proposed resolution to set up an Intergroup Communications Committee was welcomed in the Bayview/Hunters Point community.

Commissioner Sing expressed her personal concerns about the formation by persons outside the community of an Intergroup Communications Committee, saying while she supported the idea in theory she was opposed to the committee appointment procedure as outlined in the proposed resolution.

Mr. Brooks responded that he felt that the HRC was an impartial, mediating body which contributed to the resolution of the current problem.

There followed considerable discussion on this point (who should appoint members of the committee and internal community representation), joined by Commissioners Grafilo, Giles, Yamakawa, Mezey, Sing, Silva and Morrissey.

**** After a ruling from the chairperson that creation of a Standing Committee subcommittee does not require action of the full HRC, the proposed resolution was referred back to the Police Liaison Committee with the request that it establish a more specific purpose and more specific criteria for membership of an Intergroup Communications Committee.

Mr. Brooks told the HRC that he now has a "greater respect for the work of the HRC" in contributing to solutions to and prevention of incidents of violence.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Operation of Juvenile Court and Responses to the HRC's April 21, 1972 Report. - Commissioner Giles

On April 21, 1972, the HRC adopted a number of recommendations following a study of the Juvenile Court. They were under two general headings: Placement

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Policy recommendations and Employment Affirmative Action recommendations.

Following the issuance of the Grand Jury report on the Juvenile Court some months ago stating that there was a preponderance of minority children assigned by the Court to the ranch facilities (as opposed to private placement institutions) Commissioner Wesley asked that the Committee undertake a study of this situation.

Joseph Botka, Chief Probation Officer of the Juvenile Court, appeared before the Youth & Education Committee to discuss what has been done in the four-year interim since the HRC's 1972 recommendations were adopted and forwarded.

Commissioner Giles restated the HRC recommendations and summarized Mr. Botka's remarks:

1. HRC: "The goal of the program will be to more equitably distribute juveniles along racial and ethnic lines between the two ranch facilities and the private out-of-home placement institutions."

Commissioner Giles said the Committee has learned that more minority children are being placed in out-of-home private institutions, but there is still a large percentage, a majority in the ranches.

2. HRC: "The Juvenile Court (should) implement a policy of utilizing placement institutions (private institutions, foster homes, and community-based alternative programs)within the City and County of San Francisco on a first-priority basis." There were objections to children being sent long distances.

Mr. Botka: There is a limited number of facilities available within the City; there are special services that can be provided special-problem children only in certain schools some distance away; and many out-of-home private placement institutions are very costly and comparable services can be given to children at a lower cost at more distant place.

3. HRC: "That the Juvenile Court implement as a policy the continued and expanded active encouragement and utilization of competent community-based alternative programs."

Mr. Botka: The total population of the Juvenile Court wards in the Youth Guidance Center has been reduced considerably, partly as the result of greater discretion given the Police Department in apprehending children accused of breaking the law, whereby a checklist may be applied in an individual case and the child not sent to Juvenile Court, but referred to the Youth Service Bureau.

4. "That the Juvenile Court expand the composition of the Screening Committee in order that members of the minority communities may participate on a regular basis on the Screening Committee."

Mr. Botka: The Court has not accepted this recommendation and has no intention of expanding the Committee to include community persons because of the confidential nature of the Committee's work and the professional character of its members. Minority group probation officers have served on the Committee, but they are not selected on the basis of their ethnicity.

Recommendations on Employment Affirmative Action:

1. HRC: "That the Juvenile Court and the HRC implement a joint Affirmative Action Program with each of the private placement institutions that the Court utilizes in order that the institutions may have racially-representative staff."

Mr. Botka: This has not been done.

2. HRC: "That the Juvenile Court, the HRC and the Civil Service Commission enter into a joint agreement to develop and implement an Affirmative Action Program in hiring for the Juvenile Court."

Mr. Botka: This has not been done.

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3. HRC: "That the Juvenile Court, with the cooperation of the Civil Service Commission and the HRC, recruit and hire additional tenured, full-time, bilingual Probation Officers, Counselors and other staff including Chinese-speaking, Tagalog-speaking and Spanish-speaking staff."

Mr. Botka: There has been, despite the hiring freeze on full-time Civil Service employees, an improvement in the recruitment (through CETA and other programs) of minority staff for Juvenile Court.

Commissioner Yamakawa suggested that there be more Youth & Education Committee follow-up on these recommendations and that it review Mr. Botka's responses from the standpoint of further Committee and HRC recommendations on these same points.

Commissioner Giles reported that the HRC staff (Gail Roberts and Emmett Rosebrough assisted by two student interns) study is due to be completed in two or three weeks. The final report, covering its on-site investigation, its interviews with staff and enrollee, also will contain statistical information.

Commissioner Maxwell expressed her indignation that there was resistance to minority participation in the Screening Committee. She said she reflected the feelings of many in the Black community of resentment of an insistence on arbitrary professional standards about Screening Committee membership. Commissioner Giles said, these concerns were shared on the Committee, as well.

Commissioner Sing and Silva also expressed concerns over the preparation of the HRC study.

Asked to briefly define what the HRC study was designed to do when completed, Commissioner Giles said that because of concerns about the inbalance of minority placements in the two ranch facilities of the Juvenile Court, and feelings that they (minorities) are not given the game standard of treatment, the Committee (study) hopes to arouse community interest, to change the pattern of Court procedures if they are contributory, to create a sensitivity and give supportive data for what people feel is happening.

Commissioner Maxwell was assured that the study, by HRC staff, will incorporate job positions, duties and rates of pay for employees of the private placement institutions.

Gail Roberts stated that the HRC has authority under the Nondiscrimination Ordinance to require compliance from private placement placement institutions holding contracts with the City and utilized by the Department of Social Services and by the Juvenile Court. Ms. Roberts said the HRC will work with specific private placement institutions to develop for each specific affirmative action programs.

Commissioner Silva asked if Mr. Botka would be present when the HRC study was presented to the full Commission. The study will be presented first to the Youth & Education Committee, probably at its December 9th meeting.

- Operation of Pelton Middle Academic School

This issue had been placed before the Committee under direction of the HRC and the request of Commissioner del Portillo. Commissioners were provided copies of an article describing the Pelton Middle Academic School from the October 11th issue of the San Francisco Unified School District Newsletter. Mr. Booker T. Carroll, principal of Pelton, and Ms. Elaine Wolfe Grady, a former member of the Committee, an Area I Supervisor, described this program to the Committee. The emphasis is academic, and there is considerable parental involvement, with open enrollment. It was reported that the program is racially diverse, and that Pelton Junior High, formerly 98% Black, is now about 60% Black, with Spanish-speaking and Other Non-Whites the next highest in participation.

- Letter from Superintendent of School Robert F. Alioto to Chairperson Mezey.

The chairperson read this letter in full: It was a response to the HRC's action of September 16, 1976 calling on the School District to establish a task force on suspensions. Superintendent Alioto noted that Ms. Myra Kopf, president of the Parent-Teachers Association, had expressed a concern that the SFUSD "cannot investigate itself," and said that he concurs and suggests that the HRC should conduct this investigation. He offered the District's support for HRC efforts and whatever data necessary.

There was considerable discussion among Commissioners in reaction to this letter. Some agreed with Superintendent Alioto and some disagreed.

**** Vice-Chairperson Yamakawa was delegated by Chairperson Mezey to meet with Superintendent Alioto and impress on him that the HRC has twice asked for a task force to be established with a broadly representative membership under the aegis of the Board of Education.

EMPLOYMENT
David K. Yamakawa, Jr., Chairperson
Alvin I. Fine, Co-Chairperson

- Decision of Administrative Hearing in re: Pride Foundation vs. Pacific Telephone & Telegraph Co. (charge of hiring discrimination on the basis of sexual orientation).

This decision, reached after three public hearings before eight members of the HRC, was issued in their names. Copies were sent by messenger to the attorneys representing both sides. It was read in full and the full text is attached to these Minutes. It found that Pacific Telephone & Telegraph Company's current statement of employment policy would be in violation of the provisions of Section 12B (the Nondiscrimination Ordinance) as a published statement. The Finding stated that "...it lacks the forthright assertion that P.T. & T. does not and will not discriminate on the basis of race, color, religion, ancestry, national origin, age, sex or sexual orientation." Pacific Telephone was ordered to publish within thirty days a policy stating it does not and will not discriminate on these bases

- Affirmative Action Progress Report on Insurance Brokers and Companies Doing Business with the City and County of San Francisco. - Alberta Grant, HRC Staff Affirmative Action Officer.

This report covers the continuing efforts of the Human Rights Commission to monitor insurance brokers and companies doing business with the City and County of San Francisco. We are currently involved in affirmative action efforts with four insurance brokers and five insurance companies. The four brokers do approximately 97% of the City's insurance placement and the five companies each receive premiums in excess of $35,000 per year. Insurance brokers' work forces range from 28 to 315, the companies from 90 to 2,700.

Insurance brokers differ from companies in that they require more specific insurance training and experience. They usually obtain their employees from insurance companies. Three brokers are large - 180 to 300 employees. One broker is small - 30 to 100 employees.

The insurance companies hold the majority of jobs in the industry. The bulk of these jobs are clerical. The largest of the companies is Fireman's Fund. The Fund has 1467 employees of which 31.0% are minority, and 54.1% are women. In above-clerical jobs, 10.3% are minority. The total number of minority employees has increased somewhat. Further meetings with Fireman's Fund staff and HRC staff are scheduled to set goals to increase minority participation in total employment, with particular emphasis on goals for minorities and women in above clerical jobs. This is extremely important because Fireman's Fund, with 53% of all the jobs, is the largest resource of jobs for this group of employees. Strict comparison between 1975 and 1976 reporting figures cannot be made because the number of companies is considerably smaller for 1976 than for 1975. Several companies are no longer doing business with the City.

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The following companies and brokers statistics make up the basis of this report.

COMPANIES: Fireman's Fund Insurance, Union America Insurance, Pacific Insurance, Continental Casualty Co., Insurance Co. of North America.

BROKERS: Richard Goldmand Co., Fred S. James & Co., Marsh & McLennan, Inc., Bayly, Martin & Fay, Inc.

The insurance industry in San Francisco continues to be a focal point of attention because of its high employment potential. Unlike many of the major manufacturing and blue-collar industries whose activities in San Francisco have tended to diminish, insurance companies have increased their activities. Moreover, traditional high turnover in the industry, while not a completlely positive situation does provide greater opportunities for hiring.

TOTAL STATISTICS: 1975

Total Minority Employees
1336 (26.2%) Taken from 5,702

Total Minority above Clerical
262 (10.4%) Taken from 2,519

Total Women above Clerical
662 (26.3%) Taken from 2,519

TOTAL STATISTICS: 1976

Total Minority Employees taken from 2,769. Total of persons employed 748 (27.1%)

Total Minorities above Clerical taken from total 1314 over clerical employees
Employed 118 (8.9%)

Total Women above Clerical taken from total 1584
Employed 361 (22.8%)

The Human Rights Commission's concern is that minorities achieve equitable and increased participation in the total work force, and that women, now holding primarily clerical positions (1,212, 91.2%) achieve greater opportunities for participation in the professional (176, 27.3%) and managerial (56, 13.9%) levels.

However, the major problem within insurance employment continues to be the low participation of minority males (190, 6.9%) at all levels industry wide.

The approach by the HRC has been to gather basic employment information that provides an analysis of the individual company's areas of deficiency. This information includes race and sex, recruitment and referral sources, testing and hiring procedures, labor union involvement and statistics on upgrading existing programs. After careful analysis of the information, hopefully an agreement is worked out for remedying the problem areas.

A more recent approach has been to utilize the complaint procedure as a method of expediting the timely submittal of employment work force data. The value of these complaints is that employers must evaluate and redefine their Equal Opportunity Employment and Affirmative Action policies.

Such a complaint has been filed by the HRC citing Mission Equities Corp. for failure to submit basic employment data requested under Chapter 12.B of the San Francisco Administrative Code. The complaint was filed September 8, 1976. The respondent failed to answer the complaint, and a finding is pending.

As in the past, representation in the above-clerical positions tends to reflect a majority of white males (953, 72.5%). White females continue to hold a greater proportion of the above-clerical-level positions (302, 23%), as opposed to minority females (59, 4.5%). Salary and promotional opportunities from within the company continue also to be a problem. The need for persistent efforts in affirmative action in the insurance number of minority employees overall within companies represented in this report (748, 27%); with particular emphasis on Black males (42, 1.4%), Japanese males (1, .04%), Filipino males (4, .15%) Native American Indian males (2, .07%) Filipino women (20, .72%) Native American Indian women (2, .07%) Japanese women (0, 0%). Clearly the minority workforce continues to be under-utilized. Lack of noticeable progress demands broader expansion in this area. To alter the situation, to help achieve and renew these goals continued monitoring and more effective enforcement

must be undertaken by the HRC, while working cooperatively with community resources. Current goals are to:

1. Help bring about expansion of employer recruitment programs to hire minority males with short-range planning towards this goal for long-range achievement.

2. Encourage the utilization of existing training programs.

3. Foster an increased awareness in the use of community-oriented referral sources as a vehicle for the recruitment of minorities.

4. Advocate the use of specially-trained interviewers to seek and explore a wider range of job possibilities with minorities and women.

5. Utilize monitoring of the selection process to determine specific weaknessess in employment systems.

6. Encourage the institution of training programs outside the companies within specific communities which would address career counseling. Training and promotional opportunities with minorities and women, utilizing these programs to identify.

7. Encourage and give incentives to outside training programs, and keep records on the race and sex of attendances, and make progress reports on success and failure factors.

8. Further encourage, taking into consideration limitations of the employer, increased goals and timetables.

9. Re-establish regular reporting procedures for all employers monitored.

10. Continue to keep these requirements incorporated into affirmative action programs to make these elements an effective model for changing past and present employment patterns.

Many of the present programs have these mechanisms and need only continued expansion. Each company has its own unique problems. Therefore a more consistent role of support by the HRC and supportive community agencies should be adopted.

Ms. Grant responded to a number of questions from Commissioners. She said there were two conflicts in affirmative action work with the insurance companies---the communities tell the HRC that the companies say the HRC is handling their affirmative action work and the companies say they cannot find minority people interested in industry employment. Ms. Grant said she was unable to validate some reports that companies in San Francisco have had to recruit from as far away as southern California (Watts).

Ms. Grant stressed that there are minorities in San Francisco who are interested in insurance industry positions and that there are a number of minority referral and training agencies for the companies to utilize.

Ms. Grant said that the HRC is beginning to set specific goals for minority participation with Fireman's Fund, but that such goals need to be set with all companies and brokers in the industry.

Wayne Redus, Coordinator of Employment, commented on the great difficulty the HRC has had with its small staff in doing as thorough a job as it wishes to do with this affirmative action work. Since the permanent staff of affirmative action officers has not been increased, it must depend on staff who work under the temporary federally-funded job programs. These people naturally leave the staff when they find permanent jobs. Ms. Grant, he said, is the third staff member who has been assigned to the insurance industry work; each new staff has to re-establish contacts with the companies and brokers and obtain the needed data, often a very long and frustrating procedure. Today's statistics (see the statistical chart attached to these Minutes) are the ones the HRC needs to chart future goals and timetables for implementation.

In response to an inquiry from Commissioner Fine about the fewer number of insurance companies doing business with the City, Mr. Redus said that reasons include:

- the increasing undersirability of the municipal risk field
- the City's need to cut the level of insurance and to find more economical and efficient insurance packages.
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- the withdrawal of some companies from seeking City business, partially as a result of unwillingness to have to deal with HRC monitoring.

- Status of Hearings

The Pacific Telephone Finding was announced today.

The minority truckers' hearing (vs. Peter Kiewit Sons's Co.) was held October 19th. The HRC went into Executive Session following this meeting to begin its deliberations. Commissioner del Portillo was ill and could not take part.

There will be a decision from the Show-Cause hearing in an age discrimination case previously heard.

There will be a Show-Cause hearing on the HRC's action against Borruso's Lighthouse and Sabella & La Torre (Fisherman Wharf's restaurants) because of failure to submit requested employment data.

There will be a Director's Finding issued regarding the HRC case against Mission Equities, Corp. for failure to submit requested employment data.

Currently under investigation is a sexual orientation discrimination complaint against Crocker Bank.

The City Attorney has been requested to review the HRC ordinance to see what changes could be made to require less than the present number of majority votes to render a decision.

- It was announced, to expressions of regret, that William Bennett, who has been the HRC's attorney through the City Attorney's Office, is leaving to go into private practice.

- Proposed Changes in Federal Contract Compliance Requirements.

The Federal Office of Contract Compliance (Department of Labor) has announced a number of proposed changes that would eliminate or radically alter a number of compliance requirements for companies. The proposed changes were published in the Federal Register on September 17th and the public has sixty days to submit objections.

It is estimated that 50 to 75% of contractors would be eliminated from any federal affirmative action requirements under the proposed changes.

Wayne Redus drafted a letter for HRC consideration to detail the HRC's grave concerns over these proposed changes.

**** It was m/s/c that the HRC hear the draft of this letter. It asks that public hearings on these proposed changes be held before they are adopted.

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Director Mickins read the letter in full:

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October 29, 1976

William J. Usery
Secretary of Labor
Department of Labor
200 Constitution Avenue
Washington, D.C. 20210

Dear Secretary Usery:

This letter is in response to the proposed revised equal employment opportunity regulations for federal contractors, as set forth in the Federal Register, which will be administered by the Office of Federal Contract Compliance Programs (OFCCP).

The Human Rights Commission of San Francisco is a local enforcement agency which has been active in the field of contract compliance for ten years. During this period HRC reports have often mentioned problems encountered in dealing with employers who were being monitored by a federal compliance agency. The most recent description of this problem was outlined in a staff letter from the HRC to Senator William Proxmire, chairman of the Senate Banking Committee. Senator Proxmire held hearings on equal employment and banking, at which critical testimony was offered relative to the Department of the Treasury's enforcement of Executive Order 11246. The HRC letter echoed those critical comments in addition to documenting a specific case where the Department of the Treasury had frustrated HRC's efforts at bringing a city bank to compliance. A copy of that letter is attached.

It is within this context that grave concern has emerged with respect to the proposed revision of regulations for the implementation of executive Order 11246. It has been our experience that increased and aggressive contract compliance efforts are seriously needed if equal opportunity is to become a reality. Additionally, community and civil rights groups, along with other governmental agencies and local media, have all expressed dismay at the proposed revisions, and serious doubts regarding the federal government's commitment to equal opportunity. Certainly, at a time when many civil rights gains are being eroded, strong compliance programs are called for.

The proposed revisions appear to greatly weaken the already inadequate ability of federal enforcement agencies to effect positive change in our country's employment picture. It should also be noted that the posture taken by federal enforcement agencies heavily sets the tone in which employers respond to state and local enforcement agencies.

Because of the widely expressed concern and the ultimate influence of federal programs, we are suggesting that the sixty-day period allowed for written response to these proposed revisions is not at all adequate. We are further joining those who have suggested that full-scale hearings be held throughout the country so that the Department of Labor may receive testimony from those who look to the federal government as the leader in equal opportunity enforcement.

In closing, and due to the response deadline of November 17th, we are asking that an answer to the request for hearings be given as soon as possible.

Sincerely yours,

Caryl Mezey, Chairperson
Human Rights Commission

CM:mh

cc: Lawrence Z. Lorber, Director, OFCCP
Senator Alan Cranston
Senator John Tunney
Congressman Philip Burton
Congressman John Burton
Patricia Pfeiffer, Chairperson, TACT

(end of letter)

.....

It was

**** m/s/c that the HRC send this letter to the Secretary of Labor.

NEW MATTERS

- The Administrative Committee will meet in the near future to discuss setting HRC priorities for its work, and will prepare a draft document as a starting point.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, November 18, 1976 at 9:15 A.M. in the Commission Room on the Third Floor of the Main Library. This is the only November meeting. November 11th and November 25th are, respectively, Veteran's Day and Thanksgiving Day, and are legal holidays.

STANDING COMMITTEES

Employment	Thursday November 4, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, November 4, 1976 3:30 p.m. Cathedral House Library Grace Cathedral -The only November meeting-
Police Liaison	Wednesday, November 17, 1976 4 p.m. - Place to be announced-
Housing & Urban Development	To be announced
Social Programs	Tuesday, November 16, 1976 10 a.m. Room 509 - HRC Office 1095 Market Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa

Attachments: Decision of Administrative Hearing-Pride Foundation vs. PT&T Co.
1975/1976 Insurance Companies and Brokers Report

CITY AND COUNTY OF SAN FRANCISCO

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street
Suite 501
San Francisco, California 94103
Telephone 558-4901

October 28, 1976

In Re: Decision of Administrative Hearing
Pride Foundation vs. Pacific Telephone
& Telegraph Co.

The Commissioners whose signatures are undersigned, upon hearing the presentation of evidence and argument and upon reviewing together the presentations, issue the following finding and orders:

The basic issue is whether P.T. & T. is violating Section 12B of the Administrative Code by discriminating against homosexuals in its employment process.

The most significant part of the complaint is that P.T. & T.'s current statement of its employment policy indicates to the homosexual community that P.T. & T. does not knowingly hire homosexuals. This occurs, it was said by some witnesses, because of the reputation that P.T. & T. has had for not hiring homosexuals in the past, because the current statement of its employment policy states, "We do not give favorable consideration to anyone who in our judgement may create conflicts with existing employees or the public we serve," and because the "Employment Flash No. 114." which forwarded the current statement of P.T. & P.'s employment policy to its hiring personnel in explaining the statement says, among other things, "We will not reject solely on the basis of sexual orientation." (emphasis added)

P.T. & T.'s statement of employment policy, however, has not been published. The statement was a communication by its management to its hiring personnel. Further,P.T. & T. representatives claim that they do not discriminate in practice.

In view of the fact that no evidence was presented as to specific acts of individual discrimination we confined our deliberations and judgment to the matter of the statement of policy. Although the record contains no evidence of discrimination in the employment of individuals who have applied for job with P.T. & T. there is evidence that among the homosexuals in San Francisco the Company has the reputation of not knowingly hiring homosexuals. This has a deterring effect on P.T. & T.'s employment of homosexuals which we find at odds with San Francisco's ordinance prohibiting discrimination based on sexual orientation.

A published statement of employment policy, especially when made in the light of known accusations of violations of one or more aspects of the non-discrimination laws, should not be neutral; nor would such a statement be saved from falling afoul of the legal standards for complete non-discrimination because the authors had no intent to discriminate.

Consequently, we find that P.T. & T.'s current statement of employment policy would be in violation of the provisions of Section 12B as a published statement. In our opinion it lacks the forthright assertion that P.T. & T. does not and will not discriminate on the basis of race, color, religion, ancestry, national origin, age, sex or sexual orientation. Further, in the event it were intended to be published particularly for the homosexuals in

San Francisco, it should state that P.T. & T. does not and will not discriminate against homosexuals.

Therefore: We direct that within thirty days P.T. & T. in San Francisco publish a statement of its employment policy that is in compliance with 12B of the Administrative Code, namely that states that P.T. & T. does not and will not discriminate on the basis of race, color, religion, ancestry, national origin, age, sex or sexual orientation.

If P.T. & T. fails to comply with the foregoing orders herein, the Commision reserves the right to issue further orders as it deems appropriate.

October 28, 1976

Vernon Alley, Commissioner	Phyllis Lyon, Commissioner
Alvin Fine, Commissioner	Caryl Mezey, Commissioner
Mary Bernadette Giles, Commissioner	John C. Morrissey, Commissioner
Antonio Grafilo, Commissioner	Nardim Zarour, Commissioner

INSURANCE COMPANIES AND BROKERS

	TOTAL	(5) TOTAL MALE	(5) TOTAL WOMAN	(4) MALE BLACK	SPANISH ORIGIN	CHI-NESE	JAPA-NESE	FILI-PINO	NATIVE AMER.	OTHER	WOMEN BLACK	SPANISH ORIGIN	CHI-NESE	JAPA-NESE	FILI-PINO	NATIVE AMER.	OTHER
Officials and Manager	404	348	56	3	-	2	1	-	-	-	3	4	1	-	1	1	-
Professionals	646	470	176	7	14	19	-	-	-	-	8	7	14	-	-	2	-
Technicians	233	108	125	6	6	-	-	-	1	-	6	4	2	-	3	3	-
Sales Workers	31	27	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Clerical	1329	117	1212	15	13	25	-	4	-	-	123	104	259	-	16	7	-
Skilled Workers (Crafts)	13	12	1	1	-	2	-	-	1	-	-	1	-	-	-	-	-
Semi-Skilled	27	23	4	2	1	8	-	-	-	-	1	1	2	-	-	-	-
Service Workers	86	80	6	8	22	10	-	-	-	-	1	2	1	-	-	-	-
Total	2769	1185	1584	42	56	66	1	4	2	-	142	123	279	-	20	13	-

1975 REPORT

Total Minority Employees

1336 (26.2%)

Total Minorities Above Clerical

262 (10.4%

Total Women Above Clerical

662 (26.3%

1976 REPORT

Total Minority Employees

748 (27.1%)

Total Minorities Above Clerical

118 (8.9%) Calculated against 1314

Total Women Above Clerical

361 (22.8%) Calculated against 1584

A80
#2
11-18-76

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of November 18, 1976

****
* NEXT MEETING: Thursday *
* December 2, 1976 *
* 9:15 a.m. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

COMMISSIONERS

Present: Caryl Mezey (presiding), Vernon Alley, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing, Nadim M. Zarour

Excused: Carlota del Portillo, William Wesley, David K. Yamakawa, Jr.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Manuel Chaffo, Doug Chan, Jo Daly, Carole Ellison, Luis Escobar, Alberta Grant, Joe Meza, Wayne Redus, Gail Roberts, Essie Thomas, David Treanor, Jamie Williams

Pledge of Allegiance

Minutes of October 28, 1976 approved. The Social Programs Committee meeting was incorrectly given as November 16, rather than November 30.

COMMUNICATIONS

- From U. S. Senator John V. Tunney, acknowledging the HRC's copy of its letter to President Ford asking him to rescind Executive Order 11935 which would bar aliens from federal jobs.

- From William M. Nichols, General Counsel, U.S. Office of Management and Budget, Washington, D.C., responding to the HRC letter of October 15, 1976 urging the rescission of Executive Order No. 11935 of September 2, 1976 relating to employment of aliens in the federal (competitive) service.

- From Isabel Hsie, Project Coordinator, Affirmative Action Team, Chinese for Affirmative Action, asking for formal notication of her and Frank Mah's appointments to be alternates to the HRC's Employment Committee.

- From Commissioner Morrissey, a cppy of his letter to Mr. Tom Ammiano, Chairperson, Gay Teachers Coalition, explaining his reasons for his position on "family life curriculum" in the San Francisco Unified School District.

- From Myra Kopf, President, California Congress of Parents and Teachers, San Francisco District 2, questioning certain agenda matters dealt with by the HRC's Youth and Education Committee.

- To Ms. Kopf, from Commissioner Giles, Chairperson, Youth and Education Committee, explaining that two agenda items specified (in the above letter) were brought to the Committee by a member and another Commissioner, and inquiring if her concerns were personal or the studied opinion of the PTA.

- From Rabbi Malcolm Sparer, Chairman, Soviet Jewry Commission, Jewish Community Relations Council, asking if the HRC could become an "advocate" for Yuri Berlovsky, a Soviet Jew who has been refused a visa to emigrate.

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- From D. W. Smith, Associate Warden, Programs, California State Prison, San Quentin, thanking Director Mickins for his appearing on a CBCC Affirmative Action Panel.

- From Jim Caudillo, President, Image de California, regarding Latin Community outrage at an item in Herb Caen's November 10th column in the San Francisco Chronicle, and urging the HRC "to seek every avenue to demand the dismissal of Herb Caen from employment with the San Francisco Chronicle on the basis of blatant racism." Attached was a copy of Mr. Caudillo's letter to the Editor of the Chronicle, calling for this resignation. See discussion on this item under Director's Remarks at the end of the these Minutes.

- From Richard Sklar, Project Coordinator, Wastewater Management, Office of the Mayor, inviting the HRC to attend the groundbreaking for construction of the City's new Wastewater Control system November 18th at 10:30 a.m. at the new Channel Street pumping station.

- From H. Leroy Cannon, a copy of a memorandum to Dr. Robert F. Alioto, Superintendent of Schools, regarding the suit of the Associated General Contractors et al versus the School District to annul the SFUSD's 25% minority participation policy.

Director Mickins read this letter in full, commenting that it was pertinent to the HRC. The HRC has not yet been served in the A.G.C. suit, but it can expect to be so, Director Mickins said. He has asked for an Opinion by the City Attorney on how the HRC can work with the SFUSD on affirmative action whether the HRC will have the authority under Chapter 12A and 12B of the Administrative Code to impose guidelines for such major construction projects as the Central Nutrition Complex in the Bayview-Hunters Point area. The School District to date has held that, as a State agency, it is not legally obligated to abide by 12A or 12B.

- From Mission Equities Corporation, Lee C. Spada, Administrative Manager. This letter was read in full. It asks for a reversal of the HRC Director's Finding of November 3rd of noncompliance in submitting requested material (work-force ethnic breakdown figures), or, barring this, an Appeal Hearing. This request is under review by the Director.

- From George P. Millburn, Jr., Staff Assistant, Mayor's Office, a copy of a memorandum to all City department heads, asking for participation in the Cost Allocation Plan for 1977-1978.

- From Herbert Farber, General Sales Manager, KPIX 5, Westinghouse Broadcasting Company Inc., thanking the Directorfor discussing his views on the needs, problems and interests of the area.

- From Mayor Moscone, a copy of a memorandum to all department heads and commission chairpersons giving guidelines for presentation of departmental budget requests for the coming fiscal year.

COMMITTEES

EMPLOYMENT

David Yamakawa, Chairperson
Rabbi Alvin I. Fine Co-Chairperson

- Annual Status Report by the HRC on the San Francisco Civil Service Commission - Frank Anderson

Mr. Anderson reviewed the highlights of his report. He pointed out that the HRC's involvement with City Civil Service dates back to 1965. Many myths, he said, obscure an accurate public understanding of Civil Service in the City. There are popular and widespread convictions that civil service jobs are obtained through patronage, that Civil Service people cannot be dismissed (the Civil Service Commission agenda weekly contains some 15 to 20 terminations), that City workers are inept and nonproductive, that streetcleaners are paid more than professionals, etc. Mr. Anderson said the HRC's report is especially meaningful because it is by a City department itself, rather than a private or civic affairs outside group.

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The general affirmative action approach of the HRC, he stressed, is to effect institutional changes in employment systems such as the CSC (Civil Service Commission) that affect the livelihood of the disadvantaged citizens of the City. The CSC has borne, because of an economic recession and continuing high unemployment, a greater responsibility in recent years in employment of the disadvantaged, he reported, and is looked to for jobs because of the: 1. accessibility of the public work sites, 2. presence of a large number of public service jobs with relatively minimum education skill and experience requirements, 3. competitive wages at the entry level, 4. basic insurance, sick leave, vacation and retirement pension benefits.

There was a brief review of the background of the operation of the CSC, its staff, commissioners, procedures, budget, services and relationship to the HRC.

Though some progress has been made in the area of unfair and discriminatory employment practices, which generate complaints, there still remain some key problem areas, Mr. Anderson said.

The HRC involvement in complaints has three major purposes:

1. To inform disadvantaged persons of their rights and assist them with the complexities of the Civil Service system.

2. To solve or resolve the complaint fairly and satisfactorily.

3. To make recommendations to prevent the continuation of the problem.

This latter point (3) is the key thrust of the HRC's overall involvement with CSC and other City departments. He noted that the CSC staff, permanent and temporary, totals 129, to serve a workforce of approximately 24,000.

Fifty-five percent of the 173 Civil Service complaints processed by the HRC in 1975 were charges alleging race as a basis; 25% on the basis of national origin; 15% on the basis of sex.

The HRC is working with CSC and other departments in reviewing all professional classes to determine the feasibility of establishing more entry-level classes.

Qualification requirements continue to be a major problem, and there is a recent trend in CSC to reduce the minimum educational requirements. The HRC maintains that applicants should be required to possess only the specific skills and knowledge necessary to perform the job. HRC also is concerned with recency of education and experience requirements.

Examination procedures also are a problem, since few validity studies have been performed by the City because of a shortage of staff and money. The HRC continues to recommend qualified ethnic minorities and women to oral selection boards.

Though the CSC adopted an Affirmative Action Policy in 1972 describing its commitment to affirmative action employment opportunities for the disadvantaged through HRC efforts and leadership, there still is no overall affirmative action program. The HRC currently works closely, in frequent meetings with CSC staff and management, in developing a program. Five drafts of such a program have been produced and the final draft is expected early in 1977.

CSC General Manager Bernard Orsi, who has called this Status Report a highly comprehensive and effective one, and Ms. Aida Monares, of the Mayor's Office, will be invited to speak to the HRC in December on their reactions to it, and on how recently-passed ballot propositions affecting City employees are going to be implemented.

A number of significant improvements have been achieved by CSC since 1971, said Mr. Anderson. Notably in the area of ethnic workforce composition he termed the accomplishment "dramatic" in the rise from 31% minority participation in 1971 to 44% minority participation in 1975. He emphasized, however,

that there is still minimum participation by certain ethnic groups in the overall workforce, and there is a general disparity of minorities and women in certain job classes, job levels and salaries.

Other improvements include:

---development of the first management training program and list for promotion of previously-unqualified women and minority City employees.

---development and expansion of the employment information service for applicants.

---establishment of an Equal Employment Opportunity Unit

---development of a new grievance procedure

---development of a new program format for collecting workforce composition data.

Mr. Anderson concluded that the CSC has been more responsive to community input, and that the HRC will continue to play a major role in pinpointing problem areas and recommending solutions.

Mr. Anderson paid tribute to Commissioner Fine to his work in the past in leading the successful efforts to change application questions that were classic barriers to qualifying for jobs, questions such as asking for all arrest records, including traffic citations.

Commissioner Sing urged that the HRC continue to forward job announcements to minority job referral agencies, even though its recruitment unit has been disbanded.

There were other comments on the report and its ramifications by Commissioner Silva and by Wayne Redus.

Mr. Anderson was commended on the thoroughness of his Status Report.

A full copy of it may be obtained by calling him (or written request) at the HRC.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Superintendent of Schools' Response to the Proposed Task Force on Suspensions - Gail Roberts

Vice-Chairperson Yamakawa and Ms. Roberts met November 5th with Dr. Alioto and obtained an agreement from him for the School District to set up a Task Force on Suspensions to be appointed by District staff. Walter Phillips, SFUSD Director of Pupil Services, was asked by Dr. Alioto to make recommendations on how, given the limited staff time available, to limit the scope of this Task Force. Commissioner Yamakawa suggested that the Task Force itself assist in the limiting of its own scope.

- Programs for the Gifted in San Francisco Public Schools - Commissioner Giles

William Cummings, Supervisor, SFUSD Programs for the Gifted, scheduled to attend this meeting, was unable to do so.

Commissioner Giles discussed the main points of an extensive Status Report, prepared by HRC staff, on the 1975-1976 Academic Year SFUSD Programs for the Gifted. The program is funded jointly by the State and District. It serves students with demonstrated "giftedness" or high potentials in grades one through twelve.

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The Status Report, a full copy of which may be obtained by calling Gail Roberts or Grace Markham at the HRC Offices, covers these areas: Definition of Mentally-Gifted Minor in the California State Education Code, Funding of the Gifted Program, Certification of Programs, Court-Ordered School Desegregation and its reference to gifted children, and the Status of Gifted Program at the elementary, junior and senior high levels, An attachment gave personnel and course descriptions for the special programs for gifted and high-potential students in the secondary schools.

The Youth and Education Committee also brought to the HRC a seven-point list of recommendations for its action.

Commissioners Giles pointed out that the HRC's particular role in offering these recommendations was based in part on the fact that the School District's Policy Statement on the Gifted makes no specific mention of minority children.

Commissioner Sing outlined her concerns about the testing procedures, how they are administered, and whether they take into consideration cultural and social factors.

The questioning of the validity of I.Q. tests was commented on by Commissioner Fine and others.

The content of the tests, their validity, the procedures for administering them and many other aspects of their subject elicited move comment from Commissioners Maxwell, Morrissey, Mezey, Giles and Grafilo in addition to Commissioners Sing and Silva.

With the addition of a preamble written by Commissioner Sing: "Recognizing the limitation of the State's guidelines in the use of intelligence tests to admit children to gifted programs, the Human Rights Commission makes the following recommendations:", it was

**** m/s/c that the HRC adopt the seven Recommendations on Gifted Students and forward them to the San Francisco Unified School District. A full copy of the adopted Recommendations is attached to these Minutes.

- Commissioner Fine asked that Youth & Education and Employment Committees jointly look into record-keeping by both schools and employers, to determine what kinds of material can be collected, accessibility to it and how long it is kept. Ms. Gail Roberts reported on the status of student records and parent accessibility and the right of challenge to retention of certain materials in them.

- Commissioner Herring asked if the HRC staff could report on the use of I.Q. tests in the SFUSD. Ms. Roberts reported that the State is very close to dropping the use of I.Q. tests within the next year.

- Commissioner Morrissey introduced the subject of the Superintendent's expressed intention to get away from "social promotions" from grade to grade, and returning to promotion on merit, with graduation only after completing basic educational standards. Commissioner Giles said the Educational Redesign program contained this aspect. Ms. Roberts said that she served on the SFUSD Educational Standards Committee as the HRC representative.

**** At this point, Ms. Aida Monares of the Mayor's Office, liaison to the HRC, was introduced from the audience.

- Letter Urging Expanded Representation of Parents, Minorities and the Disabled on the SFUSD Special Educational Advisory Committee.

Mr. Peter Jamgochian, a member of the Developmental Disabilities Council and the Youth and Education Committee, had expressed concern about the makeup of the Special Educational Advisory Committee to the HRC. Mr. Jamgochian was present, and addressed the HRC briefly, and described the present makeup. He said two of the seven members were parents of disabled children, that there were two minority representatives (Chicano and Black), and that by 1978, under Assembly Bill 440, "the majority of such a committee shall be parents."

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It was

**** m/s/c that the HRC accept and authorize sending a letter to June Bigge, Chairperson of the SFUSD Special Education Advisory Committee, urging that it expand its membership in order to assure that 50% of those serving are parents of children currently in the District's special education classes, to increase minority group participation and to include disabled persons.

- HRC Alcoholism Peer Counseling Project

Ms. Jamie Williams, the new Director of this project, addressed the HRC.

The Human Rights Commission Peer Counseling Project has been funded in 1976-77 for the third consecutive year under the Bureau of Alcoholism, San Francisco Department of Public Health, through SB 204, State alcohol funds. This year's grant is for $11,645, approximately $4,000 in excess of the previous year's funding level. The overall goal of this project is to reduce alcohol abuse and its adverse consequences upon San Francisco adolescents through education, referral and peer counseling.

The project has five new health aides and one returning aide, in addition to Ms. Williams, San Francisco State University sophomore, who succeeded Marilyn Morris, who resigned in June as program supervisor. Carlton Crump, who had been with the program for five years, was also to have been Specialist I; however, during the latter part of the summer, Crump was accepted into the University of California. Santa Cruz, The health aides are as follows:

Salvadora Aviles	----	Notre Dame High School
Reginald Carr	----	Woodrow Wilson High School
Leslie Clements	----	Lowell High School
Donald Phillips	----	Lowell High School
Ricky Washington	----	George Washington High School
Colleen Wong	----	Mission High School

Training in alcoholism information and in values clarification is being conducted for staff.

During the summer, students participated in the Chinatown Health Fair, published one edition of the "Bad Newsletter", and broadcast "The Voice of Youth" on KALW, the San Francisco Unified School District radio station. The new health aides received training from ACCEPT (Alcohol Counseling Center for Early & Preventive Training) staff. During the summer, the staff consisted of two supervisors and 11 health aides.

The health aides are giving presentations in their schools and in nearby schools. The KALW "Voice of Youth" programs and issues of the "Bad Newsletter" will alternate every other month. By having classroom and community youth group presentations, a youth newsletter and a youth radio program, the project hopes to reach San Francisco youth. The first "Voice of Youth" broadcast will be November 25th at 9 a.m. and 3 p.m.

NEW MATTERS

- Amendment of 12B Ordinance to Include the Disabled - Wayne Redus.

The Board of Supervisors' Governmental Services Committee recently considered the proposed legislation by Supervisor Molinari that would amend the HRC's 12B ordinance to include physical disability to the categories covered for nondiscrimination. The category already is a part of 12A.

HRC staff had provided Supervisors Molinari with a definition of physical disability.

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Supervisor Molinari at the Governmental Services Committee meeting asked that the word "physical" be struck, leaving only "disability" as the suggested addition. The Board of Supervisors subsequently requested that the HRC hold a public hearing for all interested parties to arrive at a definition of "disability" for submission to the Board by January 1, 1977.

**** The public hearing will be Monday, December 13th at 2 p.m. in the Third Floor Commission Room of the Main Library. There is a ground-floor service elevator at the Main Library. Officers and members of the HRC will be present.

DIRECTOR'S REMARKS

- Pam Lee, a Specialist I serving as liaison with the Chinese community for the HRC since 1975, has joined the staff of the Commission on the Status of Women. Director Mickins praised Ms. Lee for her valuable contributions to the work of the HRC.

Douglas Chan has succeeded Ms. Lee. He was introduced and welcomed to the staff.

- It was announced that, following the vote of the HRC last year to do so, the Christmas Jobs Program which the HRC had implemented with the Retailers' Community Relations Group for many years, is now contracted out to Youth for Service.

- The Director's Finding of noncompliance (with submitting required workforce reports) against Sabella & La Torre-Borruso's Lighthouse Fisherman's Wharf restaurants was appealed by the respondents (see Communications). It is suggested that the HRC hear this appeal as part of its regular meeting December 16th.

- The Muni-Youth Task Force is being reactivated by Director Mickins because of the renewed incidents of reported violent acts by youths against passengers on the Muni lines. The funding proposal that was developed out of the Task Force a year ago for a youth program to combat these kinds of incidents was not approved in time by the Board of Supervisors and the State monies were diverted to Orange County, where a helicopter was purchased.

- The Latino community reaction to a recent item in Herb Caen's column in the San Francisco Chronicle (edition of November 10th, with an apology on November 12th) was spelled out in a letter sent to Joseph Meza of the HRC staff by Jim Caudillo, President of Image de California. This letter and its attachment (a letter sent by Image de California November 11th to the Editor and Publisher of the San Francisco Chronicle) were read in full to the HRC. Mr. Caudillo asked that "the Human Rights Commission seek every avenue to demand the dismissal of Herb Caen from employment with the San Francisco Chronicle on the basis of blatant racism." The offending item in Herb Caen read: "FEARLESS forecast: For next year's election, the forces behind Props. 13 and 14, both of which lOst (Proposition 13 would have instituted legalized greyhound dog racing and Proposition 14 was the farm workers' union organizing measure), will pool their resources for a ballot measure to legalize the racing of Mexicans."

There followed considerable discussion among Commissioners on this issue.

- Chairperson Mezey ruled that this issue was open for discussion without having been previously in the agenda because it was a continuation of the HRC's response to an earlier ethnic slur issue involving a Herb Caen item.

Commissioner Silva said that in the Latino community the apology by Mr. Caen was not considered adequate. He described the indignant reaction of Third World to a number of items he charged have appeared in the past in the Herb Caen column.

Joseph Meza described his attendance at Latin community meetings on this issue, and said that the HRC had received a number of calls in protest from Latin and other ethnic groups and individuals. He said the community had considered such actions as cancelling subscriptions and boycotting advertisers.

-more-

Commissioner Sing stated that "The Chronicle lately has been blatantly racist" and said she supported the viewpoints of Commissioner Silva.

Commissioner Morrissey suggested that the Chronicle he reminded that items such as the effensive one in Herb Caen's column and others are completely at odds with the City's official nondiscriminatory policies, which the HRC is mandated to carry out.

Further comments were added by Commissioners Fine, Zarour, Mezey and Maxwell.

Commissioner Sing, after suggesting that a press conference be held, moved that the HRC draft a letter stating that it ooncurs with the original Latino groups protesting Mr. Caen's remarks and ca ling for his resignation, and specifying the HRC's jurisdiction and mandate.

**** It was m/s/c that this be done. The text of this letter is attached to these Minutes.

- Commissioner Sing said that she had been informed of a complaint call the Mayor's Office call naming herself and Carlota del Portillo and claiming that they had refused to attend the hearing proceddings of the HRC in the gay discrimination charges filed by the Pride Foundation versus Pacific Telephone & Telegraph Company. Commissioner Sing asked that the record show she did not refuse to attend the hearings (and she felt that Commissioner del Portillo did not); that she did attend one of the PT&T hearing, but that she was disqualified from attending future hearings.

- Commissioner Silva announced that the conviction on charges of assault against a police officer of Tom Stevens and Terry Phillips of the White Panther Party recently was overturned by the State Court of Appeals. District Attorney Joseph Freitas, Jr., can now call for a new trial or file a lesser charge. The convictions followed arrest of the two men at an incident in July of 1974 which was the subject of White Panther Party concern before the HRC recently. HRC staff, it was announced, has worked, as directed, with Ms. Miranda Nelson in assisting her in contacting the Police Commission. Jerry Peters, a student intern, has assisted Joseph Meza in this work.

- Chairperson Mezey asked members of the HRC to plan to remain shortly after the HRC's December 2nd meeting to hear further information on the discrimination charges brought by minority truckers versus Peter Kiewit Sons.

- An Administrative Committee meeting was set for Tuesday, November 30th, beginning at 8:30 a.m. at the HRC offices.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, December 2, 1976 at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, December 9, 1976 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco (NOTE: a change from regular first Thursday meeting because of conflict with the HRC December 2nd meeting)
Youth & Education	Thursday, December 9, 1976 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Police Liaison	Wednesday, December 15, 1976 4 p.m. Lurie Room, Main Library - San Francisco
Social Programs	Tuesday, November 30, 1976 10 a.m. HRC Offices, Room 509 1095 Market Street - San Francisco
Housing & Urban Development	TO BE ANNOUNCED

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:pa

Attachments: Recommendations on Gifted Students
letter to: Mr. Charles de Young Thieriot, Editor & Publisher,
San Francisco Chronicle

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

RECOMMENDATIONS ON GIFTED STUDENTS

1975-1976 School Year
San Francisco Unified School District

Recognizing the limitation of the State's guidelines in the use of intelligence tests to admit children to gifted programs, the Human Rights Commission makes the following recommendations:

1. The Human Rights Commission commends the San Francisco Unified School District for including a significant number of academically able and high-potential children in its Program for the Gifted, and urges the District to adopt a policy which would allocate local funds to cover the costs of participation in the Program of those who are not legally identified as gifted children.

2. The Human Rights Commission recommends to the District that it have as its goal the recruitment of racially and ethnically diverse children for the Program for the Gifted in order to approximate the racial and ethnic distribution of students enrolled in the SFUSD.

3. The Human Rights Commission recommends that principals and classroom teachers be informed that limited-English speaking pupils are <u>not</u> to be excluded from consideration for the Program for the Gifted.

4. The Human Rights Commission recommends that when permission for testing and Program participation is sought from parents of limited-English speaking children, the Program be explained in writing in the primary language of the parents.

5. The Human Rights Commission urges the SFUSD to provide program options in the Program for the Gifted which will meet the diverse needs of gifted children.

6. The Human Rights Commission recommends that the student's cumulative folder contain only that data now prescribed by the SFUSD and that the data upon which the student was identified for the Program for the Gifted be excluded from his/her folder.

7. The Human Rights Commission urges the SFUSD to reactivate the City-wide advisory committee for the Program for the Gifted.

Adopted by HRC 11/18/76
mf/11/23/76

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street
Suite 501
San Francisco, California 94103
Telephone 558-4901

November 19, 1976

Mr. Charles de Young Thieriot
Editor and Publisher
San Francisco Chronicle
5th and Mission Streets
San Francisco 94102

Dear Mr. Thieriot:

On November 18th the San Francisco Human Rights Commission voted unanimously to send an expression to you of its dismay at the continued insensitivity of Herb Caen to the minority peoples of this community and to stress to you the unsettling effects that his thoughtless comments have upon the City as a whole.

The Commission's members include representatives of the Asian, Black, Latino, Pilipino, White, homosexual and religious communities of the City. They are even more shocked at the Mexican item because it shows that a letter sent to you from us in September seems to have no effect, not even as far as an acknowledgement from you. In becoming involved once more they are calling attention to the policy of the City to combat discrimination and racial tension wherever it may occur.

The Administrative Code, in empowering the Commission to deal in areas of racial tension states,

> Such discriminatory practices are inimical to the public welfare and good order in that they: (1) impede social and economic progress for the entire citizenry by preventing minority groups from achieving full development of their individual potentialities and from contributing fully to the cultural and business life of the community; (2) constantly frustrate, degrade and embitter members of minority groups, thereby diminishing their initiative and interest in the community; and (3) tend to create intergroup hostilities and antisocial behavior.
>
> The products of discrimination accumulate continuously, with the result that the social, economic and educational gaps between those suffering discrimination and the majority of the community constantly widen... (12A.1)

Herb Caen, in his repeated items on Samoans, Mexicans, homosexuals and others, clearly disturbs the well-being of the City and violates the spirit of its diverse, but unifying, citizenry.

The Human Rights Commission, feeling that you as the editor and publisher of the Chronicle are ultimately responsible for what appears in your paper, asks that a statement be made on your editorial page that you cannot condone the kind of slurs that have been made by Mr. Caen, and that you will use your best efforts to prevent them from happening in the future.

We also, in responding to the Latino groups who have been indignant over Mr. Caen's article and over the treatment shown them by the Chronicle when they tried to meet with you, concur with them in asking for Mr. Caen's resignation.

Mr. Caen is not "Mr. San Francisco" in any present sense when he continues with such insensitivity to the people of the City.

Sincerely yours,

Caryl Mezey
Chairperson of the Commission

cc: Mayor George Moscone
Herb Caen
Jim Caudillo

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street
Suite 501
San Francisco, California 94103
Telephone 558-4901

September 23, 1976

Mr. Charles de Young Thieriot
Editor and Publisher
The San Francisco Chronicle
905 Mission Street
San Francisco, CA 94103

Dear Mr. Thieriot:

The Human Rights Commission of San Francisco wishes to reaffirm its deep commitment to the dignity of all people by commenting on the Herb Caen column item printed September 8, 1976, and the subsequent reaction of the Samoan community.

The HRC, which deplores all manifestations of racial and ethnic bigotry, including those occasioned by thoughtlessness, was immediately sympathetic to the Samoan community on this issue. The full Commission and its Social Programs Committee have discussed the matter.

We are pleased with Mr. Caen's lengthy apology in his column of September 20, 1976. It appears to us evidence of the sincerity of his feelings regarding the use of remarks that insult the dignity of ethnic minority people here and everywhere. These are fellings the Human Rights Commission shares.

But we feel that if Mr. Caen believes that offense was felt only by the Samoan community, he is much mistaken. Reactions members of the HRC and staff heard from the "Northern Slopes" were as indignant as those from the Samoan and other ethnic communities.

We call on renewed vigilance by Mr. Caen and by the management of The Chronicle that this kind of incident does not occur again.

Sincerely,

Caryl Mezey,
Chairperson

JC:mf

cc to: Rev. Anoai Amituanai,
Mr. Herb Caen
Mr. Ralph Craib
Ms. Pat H. Luce

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of December 16, 1976

****
* *
* NEXT MEETING: Thursday *
* January 13, 1977 *
* 9:15 A.M. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE: See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

COMMISSIONERS

Present: Caryl Mezey (presiding), Carlota del Portillo, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Dan Silva, Lillian Sing David Yamakawa, Nadim M. Zarour.

Excused: Vernon Alley, Rabbi Alvin Fine, William Wesley

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Manuel Chaffo, Doug Chan, Carole Ellison, Luis Escobar, Larry Griffin, Alberta Grant, Stanley Lim, Wayne Redus, Gail Roberts, Edna Thomas

Pledge of Allegiance

Minutes of November 18, 1976 approved. Commissioner del Portillo commented on the Page 8 reference to Commissioner Sing's comments on a reported complaint that she and Commissioner del Portillo had refused to attend an HRC hearing on gay discrimination charges against the Pacific Telephone & Telegraph Company. Commissioner del Portillo stated that health and family problems have prevented her from missing some meetings, that she had been unaware of the complaint call referred to by Commissioner Sing, and that she was asking that any questions about her attendance or her feelings about gay discrimination be brought directly to her.

COMMUNICATIONS

- From U.S. Senator John V. Tunney, acknowledging the HRC letter concerning the U.S. Department of Labor's proposed changes in regulations on affirmative action programs, stating that it is likely the Department of Labor will hold public hearings on the proposed changes and urging that the HRC present its concerns at that time. This letter was read in full to the HRC.

- From David Fishlow, Executive Director, American Civil Liberties Union of Northern California, Inc., asking for HRC staff information on the recommended creation of a San Francisco Unified School District task force on suspensions.

- From Lane E. De Lara, Associate Superintendent, Instructional Services, SFUSD, to Commissioner Yamakawa, regarding response to four of the HRC recommendations in regard to a task force on suspensions.

- more -

- From Robert F. Alioto, Superintendent of Schools, SFUSD supporting the concept of trying to have the District budget adopted at an earlier date. Dr. Alioto's original letter to the HRC's action was written in October, but was not received, and this letter was forwarded with an explanatory cover letter on December 2nd. These letters were read in full.

- From Herb Caen, columnist for the San Francisco Chronicle, responding to the HRC's written concerns about community reaction to an item regarding Mexicans in his column. This letter was read by each Commissioner and the Chairperson asked that it be printed in full in these Minutes:

November 22, 1976

"Dear Chairperson: I do hope you and your Commissioners have something more constructive to do than to compose silly letters to the editor. More than half the mail I received from Mexican-Americans, over the now celebrated joke, complained not about the joke but about my apology. Gist of their intelligent responses: "Come on, don't you think we have a sense of humor? Do you think we are so dumb we can't recognize a joke when we see one?"

I leave you with that message.

Cordially, (Signed)

Herb Caen

PS How about a Commission for the Stamping Out of Self-Righteousness???"

- To Charles de Young Theriot, Editor and Publisher, San Francisco Chronicle, from Chairperson Mezey, expressing the action of the HRC November 18th to again point out its official "dismay at the continued insensitivity of Herb Caen to the minority peoples of this community and to stress... the unsettling effects that his thoughtless comments have upon the City as a whole." The letter pointed out that a letter had been sent on this subject in September and not been acknowledged.

- From Charles de Young Theriot, Editor and Publisher of the San Francisco Chronicle, on the above subject, responding to two HRC letters, one regarding an Herb Caen column item offending the Samoan community specifically, and the Mexican item. The Samoan item appeared September 8, 1976 (with a followup response to community protests in the Herb Caen column of September 20, 1976) and the Mexican item November 10, 1976 (with a followup response in the Herb Caen column of November 12, 1976).

Mr. Theriot's letter, which the Chairperson asked be printed in full in these Minutes:

November 24, 1976

"Mrs. Caryl Mezey
Chairperson
Human Rights Commission of San Francisco
1095 Market Street (Suite 501)
San Francisco, California 94103

Dear Mrs. Mezey:

This will acknowledge your letters.

The Chronicle subscribes to the objectives of the ordinance which established your Commission. We would like to think, however, that there is still room

for each person of goodwill to express his own sense of humor. I don't think Herb Caen was doing any more than that. To those who see it differently, please extend our apologies.

Thank you for letting me know your views.

Sincerely,

(signed)
Charles Theriot

- At the conclusion of this meeting, on motion of Commissioner Sing, it was

****m/s/c that the HRC invite Messers Theriot and Caen to appear before it to discuss the continuing concern of the HRC about items appearing in Mr. Caen's column that have ethnic overtones.

- From J. Gregory Mooney, Pettit, Evers & Martin, Attorneys at Law, advising Director Mickins of recent developments regarding the Mission Neighborhood Health Center. This was the culmination of efforts the HRC made, on request, to help resolve disputes at the Center.

*****Commissioner del Portillo congratulated the HRC for its work on this issue, saying that it was an example f the way it can help constructively to resolve community problems.

- From Justine (Susie) Suafai, Director, Women in Apprenticeship Program, a copy of a letter sent to Don Vial, Director of the State Department of Industrial Relations, and others, requesting assistance on the double-counting of minority women by the California Apprenticeship Council.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, formal notice of a request that the HRC, after holding a public hearing, submit to the Board a definition of the term "disability" for inclusion in Article XII B of the San Francisco Administrative Code.

- From Joseph T. Jackson, Chairman, New Rochelle Human Rights Commission, recommending the Executive Director of that agency for employment, since the HRC in New Rochelle has been eliminated from the 1977 budget.

- From Mike Fanene, a representative of the Samoan community, asking assistance of the HRC in proposing a change in forms used by the San Francisco Unified School District, and other City agencies, to include "Samoan" as a separate category when inquiring about racial background.

- To Junius Camp, Supervisor, Community Relations Department, SFUSD, from Director Mickins, urging that Mr. Fanene's request be granted.

- From J.B. Fottrell, District Manager-Employment, The Pacific Telephone & Telegraph Company, Northern California, formal response to the HRC decision of October 28, 1976 on the charge of sexual orientation discrimination in employment brought by the Pride Foundation. Mr. Fottrell wrote that the PT & T reaffirms its public testimony before the HRC that its statewide employment policy is not discriminatory against homosexuals. It states it will post a copy of his letter in its San Francisco Employment Office.

*****In discussion of this letter, the HRC agreed that it did not meet the HRC's requests and that Director Mickins and Chairperson Mezey will meet with representatives of PT & T to clarify the HRC's November 15, 1976 letter directing the utility to "publish within thirty days a statement of its employment

policy that is in compliance with 12B of the Administrative Code."

COMMITTEES

EMPLOYMENT

David Yamakawa, Chairperson
Alvin I. Fine, Co-Chairperson

- Progress Report on Civil Service Affirmative Action-Bernard Orsi, General Manager, Personnel.

Mr. Orsi praised the Annual Status Report by the HRC on the San Francisco Civil Service Commission given by Frank Anderson of the HRC at its regular meeting November 18, 1976. He expressed his appreciation for the HRC's limiting its criticisms to the Civil Service System, and not to those charged with implementing it, calling this objective reporting highly contributory to staff morale. He said he was in agreement with Mr. Anderson's assessment of the progress made by the CSC and its staff on equal opportunity in employment for the City. He stated that had it not been for the budget strictures and job freezes of the past eight months, that there would have been five or six percent more minorities and women in City employment by now. There are now, he said, 1,500 fewer permanent City jobs than there were a year ago. There are 10,000 eligibles waiting at the present for job openings and well over 50% of these, he said, are minorities.

The Civil Service System, he said, "for better or worse" is prepared to respond to community demands for equal opportunity and affirmative action.

One problem area Mr. Orsi stressed was the concentration of minorities and women in certain occupational areas, some because the system keeps them there and some because of the established comraderie of like people in certain jobs.

Mr. Orsi highlighted three major areas of need:

1. Charter reform regarding internal promotive policies, while preserving the basic seniority concept. He said that employment competition for minorities and women on the professional level is very keen, and the City cannot commit itself as far as guaranteeing salary and job improvements in the near future to prospective employees. Mr. Orsi supported a change in the concept of long-range seniority promotions that are a tradition.

2. A change in the present concept of automatic promotions. He said he wants to develop a new approach to the promotional structure in cooperation with employee organizations.

3. A change in the training of employees, or persons for employment. He called for a study of what long-term effects, if any, have come about as a result of federal or State-funded job training programs of the past several years. These programs have filled temporary needs, he said, but there needs to be another assessment of how training funds are used and for what purpose.

There currently are a number of City employees who, working fulltime, and studying completely on their own time through the pilot City management training program, are in middle management positions. The Board of Supervisors, however, he pointed out, cut from $10,000 to zero the funds for training reimbursement (paying tuition and books expenses) in the last budget.

Mr. Orsi reported also that the Board also cut funding for an affirmative

action officer position, but that by cutting other work, his office opened its affirmative action component. The present staff of five will rise soon to seven, he said, Their primary responsibility is Equal Employment Opportunity compliance, tracking and the development of statistical analysis from which CSC does its recruitment and placement of persons from under-represented groups in City employment. Bilingual counseling is currently being provided by the CSC staff.

Mr. Orsi responded to Commissioners Mezey and Sing on his position in more details on higher entrance level policy and on promotions vs. seniority.

Darrell Salomon, President of the Civil Service Commission, next reviewed before the HRC an affirmative action plan submitted by him to Mayor Moscone on December 9, 1976, and scheduled posted for a hearing by the Civil Service Commission on December 20, 1976. Mr. Salomon had discussed this plan with Director Mickins by telephone December 13 and mailed him a copy December 14. Copies of this plan were in the Commissioners' packets, with a cover memorandum from Frank Anderson, pointing out that staff and the Employment Committee had not yet been able to review, evaluate or make specific recommendations on its merits. It was pointed out that this was not the plan that HRC has been involved in drafting (Mayor's Office Task Force on Affirmative Action) for the past eight months with CSC and Mayor's Office staff.

Mr. Salomon reviewed details of the main points of his plan: Policy, Analysis of the Work Force, Affirmative Steps to Remedy Exclusionary Effects, Dissemination of Affirmative Action Plan,Monitoring and Evaluation (the HRC was designated to do a quarterly review of CSC's compliance with the plan), and Discrimination Complaints.

Mr. Salomon said he had surveyed a number of major municipalities, and personally visited Los Angeles, New York, Chicago and Dallas to determine what procedures they follow in civil service employment. He said it had taken him one year to begin to understand what he called "the labyrinthine complexities" of the San Francisco Civil Service system.

Mr. Salomon said he felt two areas of need were the restructuring of the next-lower-rank concept, and increased outreach recruitment and development.

Mr. Salomon said his affirmative action plan was "a plagiarism word for word" from the Equal Employment Opportunity Coodinating Council Policy Statement of August 26, 1976. He called this document "guidelines for affirmative action programs for state and local government agencies."

He stressed that he did not consider his plan a final one, and he pledged his efforts to consider input for changes and amendments if it should be adopted.

He said that he preferred that the HRC's "experts" do the monitoring of his proposed plan rather than a task force.

In discussing the Civil Service examination procedures, Mr. Salomon said he had suggested asking industrial psychologists to validate the exams currently used. He also is in favor of buying the examinations used by the State of California.

Mr. Salomon responded to a number of questions from the members of the HRC.

Chairperson Mezey reminded Mr. Salomon that HRC procedure was for all action issues to come before it with recommendations from a standing committee, and that his plan had not yet been considered by the Employment Committee, which would not meet before December 20.

Commissioner Silva, joined by Commissioners del Portillo, and Sing, referred to the December 8 meeting of minority community representatives with General Manager Orsi at which they had been assured of the opportunity their input and participation in the drawing up of an affirmative action plan for City employment.

Commissioner Yamakawa asked Mr. Salomon to consider two distinctions:

1. People reacting to a plan written by someone else without having seen it beforehand.

2. People participating in the writing of a plan.

He observed that Mr. Salomon's plan was, instead, "affirmative action principles and guidelines" written by another body.

Asked by Commissioner del Portillo, Mr. Salomon stated that to his knowledge there was no survey showing the position of the ethnic minority community in the City to his proposed affirmative action plan. Commissioner del Portillo also said that the Latino community has not yet been able to study a plan posted on December 9th and mailed (according to Mr. Salomon) to community groups. She said there is not enough time for positions on its details to be taken by December 20.

There were further comments on this time element, and the lack of community awareness of the proposed plan from Commissioners Silva, Grafilo and Maxwell. Commissioner Maxwell pointed out that it was the procedure in submitting this proposed plan that was being criticized, not the details of the plan which they have not seen.

Commissioner Giles pointed out that the document reprinted from the Federal Register, Vol. 41, No. 178--Monday, September 13, 1976, entitled "Equal Employment Opportunity Coodinating Council, Affirmative Action Programs for State and Local Government Agencies" was headed "Policy Statement" and was not a detailed affirmative action plan.

Commissionar Sing and others asked Mr. Salomon to postpone the scheduled (posted) December 20 CSC hearing on his proposed affirmative action plan. Mr. Salomon said he would have to check with the other four members of the CSC.

Aida Monares, Program Manager, Office of the Mayor, next addressed the HRC, stating that Mayor Moscone remains committed to the principles of affirmative action and equal employment and that the Mayor's Office expects to work closely with the HRC, CSC, the Commission on the Status of Women and other interested groups in writing an affirmative action plan that will be practical, feasible and acceptable to all parties. The Mayor's Office, she said, presently is working with both adopted and proposed components of a general affirmative action policy statement and plan. Ms. Monares commented further that a central problem in the formulation of the City's affirmative action program is deciding collectively who legislates it, who implements it, and, finally, who should monitor it.

Ms. Monares distributed copies of the draft of the Mayor's Office Task Force on Affirmative Action equal employment opportunity plan, and copies of her full statement. She also introduced Geoffrey Rothman, Deputy for Equal Employment Opportunity, CSC, who answered questions on Civil Service jurisdiction for various City jobs, including federally-funded, permanent and exempt.

Ms. Monares commented that the Mayor's Office Task Force plan, she felt, offerred a structure for operation of an affirmative action plan, while Mr.

Salomon's proposal does not call for implementation procedures (except to designate the HRC as monitor without staffing increase) and lacks community input.

Director Mickins congratulated Ms. Monares for her work on the affirmative action plan draft and for her reviving the efforts that had been flagging in getting it written.

- Definition of (physical) Disability from Public Hearing Sponsored by HRC.

The following definition was derived from community group input at a public hearing called by the Human Rights Commission December 13. The HRC had been asked to draft the definition by Supervisor John Molinari, preparatory to the introduction by himself of an amendment to Section 12.B 1. and 2. of the City Administrative Code. The HRC arrived at the definition by combining the hearing input with Labor Code Section 503 and the Fair Employment Practice Act of California.

"Disability is a physical or mental impairment which does not make the person incapable of performing his/her duties with a reasonable accommodation to his/her disability, and does not make the person incapable of performing such duties in a manner which would not endanger his/her health and safety or the health and safety of others."

It was

*****m/s/c that the HRC adopt this definition and forward it to the Board of Supervisors.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
William Wesley, Co-Chairperson

- Report on SFUSD Suspensions and an HRC Indepth Study of Suspensions at Four Junior High Schools

Edna Thomas, Westmont College Urban Program intern, has worked for several months doing both these reports. She had access, in her junior high suspensions policy study, to records, conferences and meetings at the schools. She observed that her initial reception was similar in each of the schools. She was permitted to review student records, in addition to observing meetings, although she encountered some initial resistance, particularly as to the purpose of her study and concern for confidentiality of student information.

Her preliminary observations (the full report will be available, on request, in January) were that the two junior high schools with lowest suspension rates had younger administration (principals excluded) and more emphasis on parent involvement as quickly as problems surfaced. Both of the low-rate schools have Emergency School Aid Act programs. Also in the low-suspension rate schools, Ms. Thomas noted, students seemed to like school better and seemed happier. She heard less profanity, and there were fewer verbal confrontations between students or between students and faculty.

In the two junior high schools with the highest suspension rates, Ms. Thomas noted less student calm, more profanity, more verbal confrontations, and, she stressed, a stricter rules-and-regulations policy by the administration. The latter, however, did not seem to reduce the number of student fights, despite strict suspension rules for doing this.

In high suspension-rate schools, however, Ms. Thomas reported more students congregating in the Counseling Office. This was contrasted with the policy in low-rate schools where the emphasis, she said, was on getting students out of the office and into class.

Ms. Thomas' report included statistical tables for the four schools (unnamed until the report is final and has been discussed with administrators) showing enrollment and ethnic breakdown, ethnic breakdown of students suspended, the racial/ethinic faculty classifications (principals, assistant principals and full-time staff), all over a period of three years, 1973-through 1975.

Ms. Thomas also did an evaluation of the HRC's 1974-1975 School Year Recommendations on Suspensions, using many 1975-1976 suspension statistics previously obtained by the HRC staff and quoting from a pertinent Board of Education Instruction Bulletin and the State Education Code setting out policy on suspensions, oral and written notice requirements, etc.

To the seven recommendations on suspensions adopted by the HRC on April 8, 1976, four new ones were added. Following a reading of these four, it was

*****m/s/c that the HRC adopt the full set of Recommendations on Suspensions and accept the Report on Suspensions.

The Recommendations are attached to these Minutes, copies of the full report are available if you request.

Ms. Thomas emphasized the importance of the School District's responding to an carrying out of the HRC recommendations. She praised the cooperation of Associate Superintendent DeLara and his staff. She strongly urged that the District fully inform parents and students of their rights and responsibilities, and that parent involvement be early and complete.

- Commissioner Giles voiced high praise for the exhaustive work of Ms. Thomas in evaluation of suspensions and the junior high school survey, and, on the motion of Commissioner Sing, it was
*****m/s/c that the HRC write a formal letter of commendation to her.

- Scope of Guidance Task Force
Postponed. School District to be notified the HRC will respond by January 15.

ADMINISTRATIVE
David Yamakawa, Chairperson

- Supplemental Policy Statement on HRC's Role in Recruitment Referral and Placement

Postponed to a later HRC meeting.

GAY ADVISORY COMMITTEE
Phyllis Lyon, Chairperson

- Committee Report

Postponed.

- Appointment of Nominating Committee

Chairperson Mezey appointed the following Commissioners to serve on the Nominating Committee to nominate officers for the HRC for 1977:

Commissioner Maxwell, (chairperson) Commissioners Morrissey, Lyon, Sing, Grafilo, and Silva.

- The staff and Commissioners Christmas party was announced for Friday afternoon December 17, from 3:30 to 6 p.m at Glide Memorial Church.

- Members of the HRC and other sponsors of a press conference calling for community involvement in City plans to combat crime and violence will meet Tuesday, December 21, with Mayor Moscone to implement these concerns.

- Commissioner Maxwell announced that the Potrero Hill Neighborhood House has been declared by the City's Landmarks Commission as a landmark. The next step is with the Board of Supervisors.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, January 13, 1977 at 9:15 a.m. in the Commission Room on the Third Floor of the Main Library.

STANDING COMMITTEES

Employment	Thursday, January 6, 1977 9:30 a.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Youth & Education	Thursday, January 6, 1977 Thursday, January 20, 1977 3:30 p.m. Cathedral House Library Grace Cathedral 1051 Taylor Street - San Francisco
Police Liaison	Wednesday, January 5, 1977 4 p.m. HRC Offices, Room 509
Housing and Urban Development	TO BE ANNOUNCED
Social Programs	TO BE ANNOUNCED
Gay Advisory	Tuesday, January 4, 1977 12 Noon HRC Offices, Room 509 1095 Market Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:mf

Attachments: HRC Recommendation on Suspensions

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

HRC RECOMMENDATION ON SUSPENSIONS

1975-1976 School Year
San Francisco Unified School District

THE HUMAN RIGHTS COMMISSION:

1. Requests introduction in the State Legislature of legislation to revise the State Education Code as follows:

   (a) clarify and/or define insubordination/defiance, and

   (b) encourage alternatives prior to and after a suspension.

2. Strongly recommends that the School District authorize the following studies:

   (a) reasons for the disproportionately high number of students suspended for insubordination and/or defiance, and

   (b) what is being done for students who regularly cut.

3. Strongly recommends that the School District authorize the continued studies on:

   (a) reasons for the disproportionately high number of Blacks suspended.

   (b) reasons for the differential suspension rate in the different schools, and

   (c) the correlation between poor performance in school, suspension, and eventual drop outs.

4. Strongly encourages the utilization of the School Attendance Review Board (SARB) for both school attendance and school behavior problems as stated in legislation.

5. Recommends that the Student Placement Annual Report breakdown give the number of students suspended for insubordination/ defiance.

6. Recommends that, in the event of the suspension of a student, the Central Office require individual schools to notify both parents and students by mail of procedures involved in suspensions since they vary from school to school.

7. Recommends increased parent involvement through at least three parent meetings during the school year for all parents in order to discuss suspension problems.

8. Recommends re-emphasizes on the following previously-adopted HRC recommendations:

   (a) the recording procedure in suspensions should be revised to include

      (1) a brief description of what actually took place, and

      (2) alternatives explored prior to suspension.

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(b) The Annual Report of Suspensions should include an evaluation of the effectiveness of suspension or its alternative in altering behavior or in reducing the occurrence of disruptive behavior.

9. Strongly recommends that the Central Office (Elementary and Secondary Divisions) prepare and send out to parents and students in the beginning of each school year, multilingual information concerning:

(a) acts for which students could be suspended,

(b) procedures for suspensions,

(c) rights and responsibilities of parents, and

(d) rights and responsibilities of students.

10. Recommends that multilingual staff be made available at school sites to insure that all students and parents have equal access to the benefits of counseling services, conferences with staff, alternative education or other programs. Multilingual information regarding the availability of services shall be at each school site.

11. Recommends in-service training regarding cultural differences in behavior and possible alternate approaches in lieu of suspensions.

Adopted by HRC 12/16/76

bct - 12-20-76

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